

## TITLE 8

### ZONING REGULATIONS

**ADD PERMITTED WITH CONDITIONS TO CHAPTER SIX INDEX.**

**ADD SCREENING CHAPTER TO INDEX.**

SUBJECT	CHAPTER	AMENDMENT PAGE
PURPOSE AND SCOPE	1	
DEFINITIONS	2	2
ZONES, DISTRICTS AND BOUNDARIES	3	6
BASE ZONING REGULATIONS	4	7
OVERLAY AREAS	5	
CONDITIONAL USE AND PERMITTED WITH CONDITIONS	6	41
NONCONFORMING USE	7	
VARIANCES	8	62
SIGNS	9	
ADMINISTRATION	10	
AMENDMENTS	11	
SCREENING	12	62

## CHAPTER 2

**DEFINITIONS**

## SECTION:

8-2-1: General Definitions and Usage

**8-2-1: ADD/REVISE THE FOLLOWING DEFINITIONS TO 8-2-1; RE-TITLE IT 8-2-1 A**

**A. GENERAL DEFINITIONS:** The following terms used in this title shall have the respective meanings hereafter set forth:

ACCESSORY BUILDING:	A structure not used for human habitation, not greater than 3000 square feet (279 m <sup>2</sup> ) in floor area, and not over 2 stories in height, the use of which is customarily accessory to and incidental to that of a dwelling(s) and which is located on the same lot.
ACCESSORY STRUCTURE, DETACHED:	One-story detached accessory structure used as a tool or storage shed, playhouse, or similar use, provided the floor area does not exceed 200 square feet (11m <sup>2</sup> ).
AGRICULTURAL BUILDING:	A structure designed and constructed to house automobiles, trucks, farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation, nor shall it be a place used by the public.
BERM:	A <u>shaped and sloped</u> mound or embankment of earth <u>capable of holding vegetation or ground cover</u> , usually two to six feet high, used to shield or buffer a property from adjoining uses, highways, or noise.
BUFFER:	An area of natural vegetation or man-made construction that is intended to provide a dimensional separation between dissimilar land uses. A buffer may secondarily provide a visual screen between land uses.
BUILDING:	Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure, by space or by walls in which there are no communication doors, windows or openings, which is designed or intended for the shelter, enclosure or protection of persons, animals, chattels or property of any kind.
CONDITIONAL USE:	A use that, because of special requirements or characteristics, may be allowed in a particular zoning district only after review by the county and granting a conditional use approval imposing conditions as necessary to make the use compatible with other uses permitted in the same zone or vicinity.

DEVELOPMENT SITE:	That portion of a property that will be dedicated to a proposed development.
DIRECT IMPACT:	Those adverse effects caused by the proposed action and occurring at the same time and place.
FLOODPLAIN:	The National Flood Insurance Program (NFIP) defines a regulatory floodplain as the area adjacent to a watercourse that is inundated by the 100-year discharge, and therefore has a 1% chance of being inundated in any single year. These lands are coarsely depicted on the Comprehensive Plan Map No. 8 titled The Official 100 Year Flood Plan Required by FEMA.
FLOODWAY:	Regulatory floodway means the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base (100-year) flood without cumulatively increasing the water surface elevation more than a designated height (pursuant to Title 12).
FORESTED RIPARIAN HABITAT:	Riparian areas variably composed of native trees and/or shrubs such as: cottonwood, aspen, hawthorn, alder, or willow occurring alone or in combination with associated native understory species.
HIGH WATER MARK:	The line that the water impresses on the soil by covering it for sufficient periods of time to prevent the growth of terrestrial vegetation (IDAPA 58.01.03 Onsite Sewage Disposal Rules). Additional indicators of OHWM that may be present include but are not limited to: top of point bars or depositional areas, break in bank slope, edge of active floodplain, edge of perennial vegetation.
INDICATOR SPECIES AND INDICATOR HABITAT:	<p><b>Big Game:</b> Elk, Mule Deer and mountain shrublands</p> <p><b>Trout:</b> Cutthroat Trout, Rainbow Trout and perennial and seasonal surface water (excluding ditches and irrigation water delivery systems)</p> <p><b>Water Birds:</b> Sandhill Crane, Trumpeter Swan, and Palustrine emergent wetlands</p> <p><b>Songbirds and Raptors:</b> Forested riparian habitat, and mountain shrublands</p> <p><b>Columbian Sharp-Tailed Grouse:</b> Sagebrush-steppe, and mountain shrublands</p>
INDIRECT IMPACT:	Those adverse effects caused by the proposed action and occurring later in time or farther removed in distance, but still reasonably foreseeable.

Indirect impacts may include effects related to changes in pattern of land use, human presence and population density, and related effects on natural systems and ecosystems.

**LANDSCAPE  
MATERIAL:**

Any combination of living plants and non-living materials, such as rock, pebbles, sand, mulch, pavers, berms, ~~fencing~~, walls, and other decorative materials.

**LANDSCAPING:**

The planting and arranging of landscape materials to enhance the aesthetic and functional qualities of a site.

**MANUFACTURED  
HOME:**

A structure transportable in one or more modules which is designed and built on a permanent chassis to be used as a dwelling, with a permanent foundation and footing and when connected to required utilities, and includes the plumbing, heating, air conditioning and electrical systems therein. Units manufactured prior to June 1976 not stamped approved by HUD shall not be considered a “manufactured home” as defined herein. For clarification, this definition excludes mobile homes, trailers, campers, and other similar units as may be defined in this Title. Manufactured home units shall be designed and constructed to satisfy the provisions of the uniform building code (UBC) and other mandated related codes by state and federal authority.

**MOUNTAIN  
SHRUBLANDS:**

Shrublands dominated by serviceberry, chokecherry, sagebrush, bitterbrush, snowberry and/or other native mountain shrub species.

**NORTH AMERICAN  
INDUSTRY CLASSIFI-  
CATION SYSTEM:**

NAICS. A standard land use classification system issued by the federal Office of Management and Budget which categorizes establishments by the type of economic activity in which they are engaged.

**OFF STREET PARKING:**

An off street space available for parking of motor vehicles, which conforms to the Off Street Parking Schedule in Section 8-4-4 of this ordinance.

**OPAQUE:**

Impenetrable to view, or so obscuring the view that features, buildings, other structures, and uses become visually indistinguishable.

**OVERLAY AREAS:**

F. (WW) Wetlands and Waterways Overlay: Includes all lands defined and regulated as wetlands through the federal clean water act as administered by the U.S. Army Corps of Engineers and the streams listed below. Because the existing WW Overlay as mapped does not accurately identify all such areas, the WW will be applied to: (1) all wetland areas identified on the U.S. Fish and National Wetland Inventory Maps, unless a jurisdictional determination is secured from the U.S. Army Corps of Engineers (USACE) indicating the area as uplands; (2) all areas delineated as wetlands and verified as such by the

USACE; and (3) those areas lying within three hundred (300) feet of the high water mark of the following waterways:

Badger Creek	Mahogany Creek
Bear Creek	Milk Creek
Bitch Creek	Moose Creek
Bull Elk Creek	North Leigh Creek
Darby Creek	Packsaddle Creek
Drake Creek	Patterson Creek
Dry Creek	South Leigh Creek
Fox Creek	Spring Creek
Game Creek	Teton Creek
Grouse Creek	Teton River
Grove Creek	Trail Creek
Henderson Creek	Twin Creek
Horseshoe Creek	Warm Creek
Little Pine Creek	(Amd. 05-05; amd. 11-14-08)

**PALUSTRINE  
EMERGENT  
WETLANDS:**

Wetlands dominated by rooted herbaceous wetland vegetation with less than 30% cover of woody plants (shrubs or trees). These wetlands are coarsely mapped on USFWS National Wetlands Inventory Maps (NWI) and labeled as PEM (e.g., PEMA, PEMC, PEMF).

**PERMITTED WITH  
CONDITIONS:**

A use other than a permitted or conditional use that may be administratively allowed on a land parcel as long as it meets the specified minimum conditions of its permit.

**PLANNED UNIT  
DEVELOPMENT (PUD):**

A subdivision of land consisting of separate residential lots of record where conventional setbacks, lot sizes, or density may be varied with adjacent land held in common, usually as open space, and managed by a private entity or a homeowner's association. Two (2) types of PUDs are available under Title 9 – Rural Reserve PUD and Planned Community PUD – each of which is defined and described in Chapter 5 of Title 9.

**PUBLIC UTILITY:**

Any person or municipal department duly authorized to furnish to the public under public regulation electricity, gas, steam, telephone, transportation or water.

**SCENIC CORRIDOR:**

See “Overlay Areas”. See also Chapter 5 of this title.

**SCREEN:**

Natural vegetation or a decorative structure that creates an opaque visual block or obscures an unattractive view from one side to the other throughout the year. Screening may consist of any combination of the following:

- a. Fencing.

- b. Masonry or rock wall.
- c. Plants or natural vegetation.
- d. Earthen berm.

**STORAGE YARD:** The keeping of junk material, merchandise or vehicles in the same location for an extended period of time.

**TECHNICAL STUDY:** A study that may be required by the county, including but not limited to traffic, natural features, engineering, geologic, hydro-geologic, flood, noise, photometric, or surface water drainage.

#### **ADD 8-2-1 B**

**B. USAGE:** For the purposes of Title 8, all words and terms used herein are limited to the meanings given to them by this Chapter or as specifically provided in another Chapter of this title. Words and terms that are defined in another Chapter of Title 8 relate specifically to that Chapter. Unless the context clearly indicates to the contrary, the following interpretations apply:

1. Words used in the present tense shall include the future tense
2. Words used in the singular shall include the plural and words used in the plural shall include the singular
3. The word “may” means that an action is encouraged
4. The word “shall” means that an action is mandatory
5. The words “used” or “occupied” shall include the phrases “intended”, “designed”, or “arranged to be used or occupied”.

#### **ADD 8-2-1 C.**

##### **C. DEFINITIONS IN OTHER CHAPTER OR NO DEFINITIONS**

If a word or term is not defined in this Chapter but is defined elsewhere in this title, that definition shall be applicable unless the context indicates that a standard dictionary definition is more appropriate. If a word or term is not defined in this title, then a standard dictionary definition applies. If the dictionary definition doesn't apply to the above situations, then the definition found in “A Planner’s Dictionary”, 2004, by the American Planning Association, PAS Report Number 521/522, or latest edition, is applicable. Where a word or term is defined in this Chapter and also defined elsewhere in this title, the definition contained in this Chapter shall be generally applicable except in the Chapter or Section to which the other definition is applied.

#### **CHAPTER 3**

#### **THIS SECTION IS INCLUDED FOR POINT OF REFERENCE.**

#### **ZONES, DISTRICTS AND BOUNDARIES**

##### **SECTION:**

8-3-1: Zoning Maps

- 8-3-2: Interpretation Of Map Boundaries
- 8-3-3: Consistency With Comprehensive Plan
- 8-3-4: Base Zoning Districts
- 8-3-5: Zoning District Descriptions
- 8-3-6: Application For Change Of Zone

**8-3-1: ZONING MAPS:** The boundaries of the zoning districts shall be determined and defined by the adopted zoning maps (adopted and incorporated herein by reference) which show the boundaries of both the base zoning districts and the overlay areas. The originals of such maps shall be housed and available to the public at the offices of the Teton County planning and zoning and building department. Amendments and maintenance of this title, official maps and comprehensive plan shall be done in accordance with the requirements set forth in Idaho Code section 67-6500 et seq.

**8-3-4: BASE ZONING DISTRICTS:** For the purpose of promoting the health, safety and welfare of Teton County, all land in the county shall be designated within one of the following base zoning districts and where appropriate one of the overlay areas listed below:

Agriculture, large increment residential (A-20)  
 Agriculture, rural residential (A-2.5)  
 Residential (R-1)  
 Residential, mobile homes (R-2)  
 Retail Commercial, (C-1)  
 Retail - Wholesale Commercial, (C-2)  
 Wholesale Commercial - Light Manufacturing, (C-3)  
 Manufacturing - Industrial (M-I)

### **CHANGE WORDING OF ZONING DISTRICT DESCRIPTIONS AND FOOTNOTES AS FOLLOWS.**

#### **8-3-5: ZONING DISTRICT DESCRIPTIONS:**

8-3-5

#### **C. R-1 RESIDENTIAL DISTRICT:**

C-1. Purpose: The purpose of this district is to provide low, medium, and high density residential land use opportunities in the area within and adjoining the designated area of city impact and the scenic corridor overlay areas.

C-2. Intent: This district is intended to provide a buffer or transition area between other zoning districts of the county and the areas of city impact and scenic corridors along Idaho state highways 31, 21, 33 and Ski Hill Road.

C-3. Uses: The use of PUDs is not permitted in the areas of city impact and is discouraged in the adjoining areas. However, single and two-family housing will be allowed.



**D. R-2 RESIDENTIAL MOBILE HOME DISTRICT:**

D-1. Purpose: The purpose of this district is to provide medium density residential land use opportunities for “mobile homes” as defined in this title and in the area adjoining the area of city impact.

D-2. Location: Mobile home districts are to be located in harmony with the surrounding community patterns where adequate community facilities and services exist for this density of development.

**E. C-1 RETAIL COMMERCIAL DISTRICT:**

E-1. Purpose: The purpose of this zone is to provide retail shopping for small consumer goods and small-scale professional services that are presented with an application for a specific use.

E-2. Characteristics: Uses in this zone shall be characterized by harmonious grouping of stores, shops, and small-scale professional establishments. The single most defining characteristic of the businesses located in this zone is the dependence on a high volume of walk-in customers. For each business, consideration should be given to adequate parking, sidewalks to accommodate the public, with lawns, trees, and shrubs, all planted and maintained in harmony with the surrounding businesses in this zone and surrounding zoning districts.

E-3. Uses. Use of this zone should be only within the city areas of impact directly adjacent to the city limits.

**F. C-2 RETAIL/WHOLESALE COMMERCIAL DISTRICT:**

F-1. Purpose: The purpose of this zone is to provide space for wholesale merchants or retail merchants dealing in construction products and large consumer goods that are presented with an application for a specific use.

F-2. Characteristics: Uses in this zone shall be characterized by harmonious grouping of businesses operating in the wholesale markets or in the retail marketing dealing with large volume items. By way of example only, retail businesses using this zone would be lumber yards, plant nurseries, movie theaters, automobile dealerships, large equipment sales and rentals, hotels and motels, sale of motorized sporting equipment, large office complexes, etc. Although businesses located in this zone may have some dependence on walk-in customers, the defining characteristics of these businesses would be the need for large lots, merchandise located in large warehouses or out-of-doors, and the need for large vehicles for pick-up and delivery. For each business, consideration should be given to adequate parking, safe and adequate avenues of egress and ingress for pick-up and delivery, with lawns, trees, shrubs, berms, setbacks, lighting, etc. to maintain the safety, peace, and quiet of surrounding businesses in this zone and surrounding zoning districts.



F-3. Uses: Use of this zone is allowed only within the city areas of impact.

#### **G. C-3 WHOLESALE/LIGHT MANUFACTURING COMMERCIAL:**

G-1. Purpose: The purpose of this zone is to provide space for wholesale merchants, and wholesale merchants whose business has an assembly or light manufacturing aspect that are presented with an application for a specific use.

G-2. Characteristics: Uses in this zone shall be characterized by harmonious grouping of businesses operating in the wholesale markets which are not dependent on a large volume of walk-in traffic and which may have an assembly or light manufacturing aspect associated with the business. By way of example only, businesses utilizing this zone would be pole yards, cabinet shops, small metal fabrication shops, small furniture manufacturing businesses, automotive repair garages, etc. The defining characteristics of these businesses would be the lack of dependence on walk-in traffic, the need for large lots, merchandise or inventory located in large warehouses or out-of-doors, and the need for large vehicles for pick-up and delivery. For each business, consideration should be given to abatement of noise, dust, unsightly or unsafe long-term storage, safe and adequate avenues of egress and ingress for pick-up and delivery, and adequate but non-intrusive lighting, all with lawns, trees, shrubs, berms, setbacks, lighting, etc. to maintain the safety, peace, and quiet of surrounding businesses in this zone and surrounding zoning districts.

G-3. Uses: Use of this zone is encouraged adjacent to Industrial/Manufacturing zones, as a buffer to Industrial/Manufacturing zones, and along the major highways and byways of the county where truck traffic and the movements of large quantities of merchandise can be best accommodated.

#### **H. M-1 INDUSTRIAL/MANUFACTURING:**

H-1. Purpose: The purpose of this zone is to provide distinct zones encouraging the establishment and grouping together of industrial and manufacturing uses, that are capable of being operated under such standards as to location and appearance of buildings and structures, and treatment of the land, which are not obtrusive and detrimental to the adjacent zoning districts and land uses.

H-2. Uses: Use of this district is allowed only within the city areas of impact.

#### **ADD SENTENCE BELOW TO THE END OF 8-3-6 B.**

#### **8-3-6: APPLICATION FOR CHANGE OF ZONE:**

#### **B. FILING; ACTION; FEES; EXPIRATION:**

The application becomes null and void if it is tabled or continued by request of the applicant for more than ninety (90) days.

## CHAPTER 4

### BASE ZONING REGULATIONS

#### **ADD PC, PERMITTED WITH CONDITIONS, TO 8-4-1.**

##### SECTION:

8-4-1: Zoning Restrictions and Land Use Table

**8-4-1: ZONING RESTRICTIONS AND LAND USE TABLE:** Land use, height, setback, lot size, off-street parking and sign schedules are described in this chapter and chapter 5 of this title. Permitted land uses are outlined in the following Table 1, land use schedule for the zoning districts. No other uses shall be permitted without being added to the schedule.

P = Permitted Use

C = Conditional Use  
(May be allowed)

PC=Permitted with Conditions

□= Not Permitted  
(Blank)

Title 8, Section 8-4-1

**Table 1 Land Use Matrix**

Zoning Classification	
Permitted by Right	P
Permitted with Conditions	PC
Conditional Use	CU

A-20	A-2.5	R-1	R-2	C-1	C-2	C-3	M-1
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**Agriculture**

Agriculture, Commercial	P	P				P	P
Agricultural Processing Plant	PC	CU					
Beekeeping	P	PC			CU	CU	CU
Blacksmith	PC	PC			CU	CU	CU
Commercial Feed Lot	PC	CU					
Dude Ranch	PC	PC					
Plant Nursery / Greenhouse	PC	PC		CU	CU	CU	CU
Riding Academy	PC	PC					PC
Riding / Training Stable	PC	PC		CU	CU	CU	PC
Roadside Stand, Agricultural Products	P	P		P	P	P	
Viticulture	P	P					
Wildlife Facility	PC	PC					
Wind Farm	CU						
Winery	CU	CU					

**Residential**

Assisted Living Center / Retirement Home			CU			CU		
Convalescent / Nursing Home			CU			CU		
Dwelling, Accessory Unit	PC	PC	P		P	P	P	
Dwelling, Multi-Family			P					
Dwelling, Single-Family Detached	P	P	P	P	P	P	P	
Dwelling, Two-Family			P					
Group Home			CU			CU		
Manufactured Home Park				P				
Mobile Home, Modular Unit, Single-Wide	P	P	P	P	P	P	P	
Wind Energy System	PC	PC			PC	PC	PC	PC

**Retail/Services/Office**

Animal Grooming / Training	PC	CU					CU	CU
Appliance/Electronic Repair Service/Shop					CU	CU	CU	P
Automotive Service Station					CU	CU	CU	
Automotive Convenience Store (C-store)						CU	CU	

Title 8, Section 8-4-1

**Table 1 Land Use Matrix**

Zoning Classification	
Permitted by Right	P
Permitted with Conditions	PC
Conditional Use	CU

A-20	A-2.5	R-1	R-2	C-1	C-2	C-3	M-1
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**Retail/Services/Office**

Bakery					CU	CU		
Bar/Tavern/Night Club/Lounge					CU	CU		
Barber/Beauty Shop					CU			
Bed and Breakfast Inn , Boarding/Lodging House			CU		CU	CU		
Bed and Breakfast Residential	PC	PC	CU		CU	CU		
Book Store					CU			
Campground, RV Park, Travel Trailer Camp	CU	CU					CU	
Clothing Sales/Repair					CU	CU		
Composting Facility	PC	CU						CU
Copy Shop					CU	CU		
Construction Materials Sales and Services						CU	CU	PC
Country Club						CU	CU	
Day Care Center			CU			CU		
Day Care, Residential	CU	CU	CU	CU				
Drug Store					CU	CU		
Dry Cleaners					CU			
Florist Shop					CU			
Funeral Home Services						CU		
<u>Furniture and Appliance Store</u>					<u>CU</u>	<u>CU</u>		
Garden Center					CU	CU		
Golf Course							CU	
Golf Driving Range							CU	
Grocery Store					CU	CU		
Hardware Store					CU	CU		
Heavy Equipment Sales Lot						CU	CU	PC
<del>Home Furniture and Appliance Store</del>	-	-	-	-	<del>CU</del>	<del>CU</del>	-	-
Home Occupation	P	P	P	P				
Hotel / Motel						CU	CU	

Title 8, Section 8-4-1

**Table 1 Land Use Matrix**

Zoning Classification	
Permitted by Right	P
Permitted with Conditions	PC
Conditional Use	CU

	A-20	A-2.5	R-1	R-2	C-1	C-2	C-3	M-1
<b>Retail/Services/Office</b>								
Kennel/ Boarding /Pet Daycare	PC	CU					CU	CU
Laundromat				CU	CU	CU		
LP Gas or Fuel Oil Sales							CU	CU
Office/ Professional/Business					CU	CU		
Pet Store					CU	CU		
Plumbing/ Heating Equipment Shop					CU	CU	CU	P
Recreation Area	CU	CU						
Recreation Facility						CU	CU	CU
Recreation, Motorized								CU
Restaurant					CU	CU		
Sexually Oriented Business								CU
Storage Units							CU	PC
Studio					CU	CU	CU	
Theater					CU	CU		
Theatre, Drive-In						CU	CU	
Variety Store					CU	CU		
Vehicle Repair Shop						CU	CU	PC
Vehicle Sales Lot						CU	CU	PC
Vehicle Wash						CU	CU	PC
Veterinary Clinic	PC	CU				CU	CU	CU
Waste Material Resale Store	PC							PC

Title 8, Section 8-4-1

**Table 1 Land Use Matrix**

Zoning Classification	
Permitted by Right	P
Permitted with Conditions	PC
Conditional Use	CU

A-20	A-2.5	R-1	R-2	C-1	C-2	C-3	M-1
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**Manufacturing**

Aviation Field, Airport/Heliport	CU	CU				CU	CU
Aviation Repair Facility						CU	CU
Brewery				CU	CU	CU	CU
Building Trades Subcontractor	PC	CU				CU	PC
Cabinet Shop						CU	PC
Clothing Manufacture							PC
Concrete Batch Plant/Rock Crushing	CU	CU					CU
Construction/General Contractor	PC	CU				CU	PC
Crematory							PC
Fabricated Metal Products						CU	CU
Food Processing Plant						CU	CU
Fuel Storage, Commercial or Industrial						CU	CU
Furniture/Fixtures manufacture							PC
Landfill/Gravel Pit Reclamation	CU	CU					CU
Landscaping Contractor Business	PC	CU				CU	PC
Lumber Yard					CU	CU	PC
Manufacturing , industrial							PC
Manufacturing, light						CU	PC
Mining	CU	CU					CU
Printing or Publishing					CU	CU	CU
Recycling Drop-Off	CU	CU			CU		
Research Facility					CU	CU	CU
Salvage Yard	CU						CU
Sheet Metal Fabrication							PC
Storage Facility						CU	PC
Transfer Station	CU						CU
Truck Stop						CU	CU
Upholstery or Furniture Repair					CU	CU	P
Vehicle Body Shop							PC
Vehicle Storage							PC
Warehouse and Distribution						CU	PC
Welding/Machine Shop						CU	PC
Wood Products							PC

Title 8, Section 8-4-1

**Table 1 Land Use Matrix**

Zoning Classification	
Permitted by Right	P
Permitted with Conditions	PC
Conditional Use	CU

A-20	A-2.5	R-1	R-2	C-1	C-2	C-3	M-1
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**Public, Quasi-Public**

Cemetery	P	PC						
Church or Place of Worship	CU	CU	CU	CU	CU	CU	CU	
Correctional / Penal Institution	CU					CU	CU	
Educational Institution	CU	CU				CU	CU	
Emergency Service Station	PC	PC					CU	CU
Hospital						CU	CU	
Irrigation Canal/Pipeline	P	P	P	P	P	P	P	P
Museum					CU	CU		
Playground	PC	PC	PC	PC	PC	PC	PC	
Recreational Retreat	CU	CU						
Sewage Treatment Facility	CU	CU				CU	CU	CU
Telecommunication Tower	CU					CU	CU	CU
Transportation Terminal	CU	CU					CU	CU
Utility Building and Services	PC	PC				CU	CU	P
Utility Infrastructure/Lines	P	P	P	P	P	P	P	P
Water Supply or Treatment Facility	PC	PC						P

All the land uses in the C-1, C-2, C-3 and M-1 districts shown as a CU will require a Conditional Use Permit to include a commercial development agreement to insure the public health, safety and general welfare and to preserve the integrity of the particular zoning district and surrounding zoning districts, and to protect the property values in the surrounding areas. In order to accomplish any or all of the above goals this permit shall include a property survey and at the discretion of the Planning Administrator may be required to submit a site plan that would include special structural or landscape amenities such as, but not limited to: extra-ordinary setbacks, berms, landscaping, fencing, parking, ingress and egress specifications, etc.

Permitted with conditions (PC) is a use category other than permitted use or conditional use that may be permitted administratively by meeting and maintaining minimum conditions of approval as listed in the PC permit. (See 8-6-2)

**REPLACE LAND USE DEFINITIONS SECTION AS FOLLOWS.****8-4-2:**



AGRICULTURE, COMMERCIAL:	The process of raising field, horticultural or garden crops or produce; the raising of domestic animals or fowl; or the planting of tree farms or sod farms for the purpose of commercial production. Includes Agricultural Building and Farm/Ranch.
AGRICULTURAL PROCESSING PLANT:	A facility used for the collection, slaughtering, cooking, dehydrating, refining, bottling, canning, or other treatment of agricultural products where agricultural animal material or wild game, or agricultural crops, is changed and packaged for efficient shipment.
ANIMAL GROOMING/ TRAINING:	A place or establishment where small animals/pets are bathed, clipped, or combed for the purpose of enhancing their appearance or health and for which a fee is charged, including day training and related retail sales.
APPLIANCE / ELEC- TRONIC REPAIR SERVICE / SHOP:	A shop where repairs and service are performed on appliances, electronics, or small machines.
ASSISTED LIVING CENTER/RETIREMENT HOME:	Residences for the elderly usually configured in three sections consisting of independent living, assisted living and long-term care. The latter must be licensed to provide medical care by local, state and federal agencies as required by law. The center provides rooms, meals, and personal care, but not 24 hour skilled nursing care or related medical services. They may provide other services, such as recreational activities, financial services, and transportation. These centers are usually located in urban areas close to medical facilities.
AUTOMOTIVE CONVENIENCE STATION (C-STORE):	A building or premises where gasoline, diesel fuel and oil may be dispensed at retail with no automobile repair facilities. Uses permissible also include the sale of cold drinks, packaged foods, tobacco and similar convenience goods and limited automobile supplies for station customers.
AUTOMOTIVE SERVICE STATION:	A facility limited to retail sales to the public of motor fuel, motor oil, lubricants, travel aids, and minor automobile accessories, convenience items and sundries. In addition such facility may provide minor vehicle services and repairs.
AVIATION FIELD, AIRPORT/ HELIPORT:	An area of land or water that is used or designed for the landing and take off of aircraft, any appurtenant areas designated or intended for use by aircraft, and including buildings and facilities thereon for the shelter, servicing or repair of aircraft.

<b>AVIATION REPAIR FACILITY:</b>	A building or premises where aircraft servicing or repairs are conducted.
<b>BAKERY:</b>	An establishment in which the production, wholesaling and/or retailing of baked goods occurs.
<b>BARBER/BEAUTY SHOP:</b>	An establishment where barbering and hairdressing are done.
<b>BAR/TAVERN/ NIGHT CLUB/LOUNGE:</b>	An establishment or place of business primarily engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, from which at least 50% or more of the gross income is derived from the sale of alcoholic beverages, including taverns, bars, cocktail lounges, and similar uses other than a “restaurant,” as that term is defined in this Chapter, and/or in which dancing and musical entertainment is permitted.
<b>BED &amp; BREAKFAST INN, BOARDING/LODGING HOUSE:</b>	A residence or building that has four or more guest units, exhibits a character of use similar to a motel or hotel, serves food to overnight guests, and is open to the traveling public for stays fewer than thirty (30) consecutive days.
<b>BED &amp; BREAKFAST, RESIDENTIAL:</b>	An establishment or business that is a private, owner-occupied residence with one to three guestrooms, occupied or used as a transient abiding place of individuals or groups of individuals who are lodged for compensation, with or without food service, for a stay of no more than fourteen (14) consecutive days..
<b>BEEKEEPING:</b>	The tending of beehives and the production or processing of bee products.
<b>BLACKSMITH:</b>	The premises where a person shapes and forges iron with a hammer and anvil.
<b>BOOK STORE:</b>	A retail establishment that as its primary business engages in the sale, rental or exchange of books, magazines, newspapers, greeting cards, video tapes, computer software or any other printed or electronically conveyed music, information or media, excluding any adult bookstore.
<b>BREWERY:</b>	A commercial use that brews ales, beers or similar beverages onsite. It may be operated in conjunction with a bar or restaurant.
<b>BUILDING TRADES SUBCONTRACTOR:</b>	A person hired by a general contractor to perform a specific task as part of the overall building project, such as, but not limited to, framing, plumbing, electrical, drywall, plastering, masonry, roofing, or painting.

A building trades subcontractor's place of business may include a business office and shall not include outside storage of any heavy construction equipment.

<b>CABINET SHOP:</b>	An enclosed space used for the operation of machinery that specializes in the making of furniture and cabinets.
<b>CAMPGROUND, RV PARK OR TRAVEL TRAILER CAMP:</b>	A parcel of land under single, unified ownership or control, within which spaces are rented or used by the ownership for occupancy by two (2) or more recreational vehicles and may include tent sites, cabin sites, or travel trailer sites for nightly or short-term rental.
<b>CEMETERY:</b>	A place used for interment of human or animal remains, including burial land for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof, and its necessary sales and maintenance facilities.
<b>CHURCH OR PLACE OF WORSHIP:</b>	A permanent building in which religious services and other activities associated with a religious denomination are conducted.
<b>CLOTHING MANUFACTURE:</b>	An establishment engaged in the indoor manufacturing, assembly, fabrication, packaging or other light industrial processing of clothing but does not include processing from raw materials.
<b>CLOTHING SALES/ REPAIR:</b>	A retail operation that specializes in the sale and/or repair of clothing in which services are provided to individuals/households and not for businesses. Clothing sales may include secondhand merchandise.
<b>COMMERCIAL FEEDLOT:</b>	Commercial feedlots for the raising and selling of farm animals. Also referred to as Concentrated Animal Feeding Operation, or CAFO.
<b>COMPOSTING FACILITY:</b>	A site where decomposition processes are used on solid waste (including leaves, grass, manures, and non-meat food production wastes) to produce compost.
<b>CONCRETE BATCH PLANT/ROCK CRUSHING:</b>	A temporary facility that produces or processes concrete or asphalt only for use in a particular construction project and only for the duration of that project.
<b>CONSTRUCTION/ GENERAL CONTRACTOR:</b>	A person engaged in any of the activities commonly referred to as construction and shall include clearing and grubbing, excavation, foundation work, framing, plumbing, heating, wiring, roofing, siding, interior construction or remodeling, insulating, exterior construction, repair, stone/brick work, landscaping, installing pools/hot tubs, demolition, road building, paving, and utility installation, plus maintenance of the above. A contractor's residence may include an on-

site storage area, subject to the provisions and restrictions of Table 8-4-1 and Section 8-6 of Title 8. A contractor's outdoor storage area does not include vehicles, junk material, or any equipment not related to the contractor's business.

**CONSTRUCTION  
MATERIALS SALES  
AND SERVICES:**

Establishments or places of business primarily engaged in the retail or wholesale sale of materials used in the construction of buildings or other structures, as well as construction activities and the outdoor storage of construction equipment or materials on lots other than construction sites. Typical uses may include lumberyards, building materials or supply stores, tool and equipment rental or sales, building contractors, or home improvement center.

**CONVALESCENT/  
NURSING HOME:**

A home for the aged or infirmed in which two or more persons not of the immediate family are received, kept, or provided with food, shelter, skilled nursing care and related medical services for compensation or not.

**COPY SHOP:**

A small-scale facility for the reproduction and copying of printed material, drawings or blueprints, and may include collating and binding of booklets and reports, and includes the service of facsimile sending and receiving. Sale of incidental office supplies is included. This does not include sign shops, printing establishments, or similar large-scale operations

**CORRECTIONAL/PENAL  
INSTITUTION:**

A facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense, including treatment or rehabilitation facilities.

**COUNTRY CLUB:**

A club with recreation facilities, including incidental accessory uses and structures, for members, their families, and invited guests.

**CREMATORY:**

A facility intended for use in the act of cremation.

**DAY CARE CENTER:**

A business that receives more than six (6) persons for care for any part of a twenty-four (24) hour day, without overnight stays.

**DAY CARE,  
RESIDENTIAL:**

A family home occupied by the day care provider in which family-like care is given to no more than six (6) persons not related to the day care provider, for any part of the twenty-four (24) hour day, without overnight stays.

**DRUG STORE:**

A business where legal drugs and medicines are prepared, dispensed and sold, and where a variety of unrelated merchandise and services are displayed and sold directly to the customer, also called a variety store with a pharmacy.

DRY CLEANERS:	An establishment where articles dropped off directly by the customer are laundered, altered or dry cleaned; or where articles are dropped off, sorted, and pickup up, but laundering or cleaning is done offsite.
DUDE RANCH:	A ranch that provides multi-night accommodations for guests, provides a recreational activity or immediate access to recreational activities, has dining facilities on-site, barns, associated buildings, corrals, pastures, and livestock related to a working ranch and/or the recreational activity available to guests. The guest/dude ranch does not include a commercial restaurant, café or bar that caters to the general public, nor does it actively solicit nightly accommodations.
DWELLING, ACCESSORY UNIT:	A secondary dwelling unit that may be a detached structure on the same parcel as the primary unit, or attached to the primary residential unit but fully separated from the primary unit by means of a wall or floor and using a separate entrance from the primary unit. It must be subordinate in size to the primary unit and have its own kitchen, bathroom facilities, and bedroom. The maximum size of an accessory dwelling unit shall not exceed fifty percent (50%) of the square footage of the primary residence or 900 square feet, whichever is greater. On parcels of five (5) acres or greater in size, this size restriction shall not apply. Only one (1) accessory dwelling unit shall be allowed per parcel. <u>Accessory dwelling units shall not be permitted on parcels of less than one (1) acre.</u>
DWELLING DUPLEX:	See Dwelling, Two-Family.
DWELLING, MULTIPLE-FAMILY:	Any building or portion thereof, which is designed, built, rented, leased, or let to be occupied as three (3) or more dwelling units, which is occupied as a home or place of residence by three (3) or more households living in the independent dwelling units.
DWELLING, SINGLE-FAMILY DETACHED:	A dwelling designed and constructed for occupancy by one household and located on a lot or separate building tract, having no physical connection to a building on any other lot or tract. This includes manufactured homes.
DWELLING, TWO FAMILY:	A single structure designed and constructed with two (2) dwelling units with a common wall for occupancy by two (2) households on one lot of record.
EDUCATIONAL INSTITUTION:	Any teaching facility, including instructional and recreational uses and facilities for students, teachers, and employees.

EMERGENCY SERVICE STATION:	A facility for public safety and emergency services, including fire or sheriff protection or the provision of rescue or ambulance services, and related administrative and training facilities, but not including incarceration facilities.
FABRICATED METAL PRODUCTS:	An establishment where metal-working machines are used to assemble metal parts to produce metal products such as, but not limited to, duct work, tanks, towers, cabinets and enclosures, doors and gates.
FLORIST SHOP:	A retail business whose principle activity is the selling of plants, which care not grown on the site, and conducting business within an enclosed building.
FOOD PROCESSING PLANT:	A manufacturing establishment producing or processing foods for for human consumption. Rendering plants or facilities that slaughter animals shall not be included.
FUEL STORAGE, COMMERCIAL OR INDUSTRIAL:	An open-air facility for the bulk storage of petroleum products in above ground or below grade containers for subsequent resale to distributors or retail dealers or outlets.
FUNERAL HOME SERVICES:	An establishment that prepares dead humans or animals for interment, manages funeral services, and may include limited caretaker facilities. This definition does not include cemetery, crematorium or columbarium.
<u>FURNITURE AND APPLIANCE STORE:</u>	<u>A retail establishment specializing in the sale, rent, or lease of home or office furniture and related furnishings directly to the consumer. Usually includes a home delivery option. The sale and/or servicing of major home appliances shall not be included.</u>
FURNITURE/FIXTURES MANUFACTURE:	A light-manufacturing establishment engaged in the production of furniture or cabinetry. The milling of wood shall not be included.
GARDEN CENTER:	A business that sells garden equipment, garden tools, landscaping materials, fertilizers, soil, seeds, and associated supplies. The garden center may sell plants, flowers, shrubs, and trees if the sales of live plants are minor to the operation.
GOLF COURSE:	A tract of land with at least nine holes for playing the game of golf and improved with tees, greens fairways and hazards. A golf course may include a clubhouse and shelters.



GOLF DRIVING RANGE:	An area on which players drive golf balls from a central driving tee and incidental activities pertaining to this activity, such as chipping and putting green, distance markers, clubs, balls, tees, and pro shop.
GROCERY STORE:	A retail store where most of the floor area is devoted to the sale of food products for home preparation.
GROUP HOME:	A home for persons with disabilities, including hospice and/or other special care needs; or a residential facility where meals, lodging, supervision and training are provided. Halfway houses and detention facilities are not included in this definition.
HARDWARE STORE:	A retail store that engages primarily in the sale of basic hardware lines such as: tools, plumbing and electric supplies, paint, household appliances, garden supplies.
HEAVY EQUIPMENT SALES LOT:	The sale, lease or rental of trucks, tractors, construction equipment, trailers, agricultural implements, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships and construction equipment dealerships.
<del>HOME FURNITURE AND APPLIANCE STORE:</del>	<del>A retail establishment specializing in the sale, rent, or lease of home furniture and related home furnishings directly to the consumer. Usually includes a home delivery option. The sale of major home appliances shall not be included.</del>
HOME OCCUPATION:	An activity conducted in a dwelling unit or accessory building in a residential zone (A-20, A-2.5, R-1, R-2) as an economic enterprise or for financial gain by a member of the household residing therein that is clearly incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character of the dwelling or the accessory building or change the residential character of the neighborhood. See Chapter 4, Section 8-4-7 for Home Occupation requirements and standards.
HOSPITAL:	An institution devoted primarily to the maintenance and operation of facilities for the medical or surgical care of patients, including a hospice, but distinguished from a nursing home by offering primarily short-term rather than long-term care.
HOTEL/MOTEL:	Any building or portion thereof containing guest rooms used, designed to be used, let or hired out for occupancy by persons on more or less a temporary basis.
IRRIGATION CANAL/PIPELINE:	A pipeline or an excavation dug or placed on grade for carrying water for the purpose of irrigation.



KENNEL/BOARDING/ PET DAYCARE:	The premises where breeding, buying, selling, sheltering, daily care or boarding of domestic animals takes place, whether for profit or pleasure. Anyone who owns or possesses six or more domestic animals for profit or pleasure, breeding or exhibiting, shall be deemed the operator of a kennel.
LANDFILL/GRAVEL PIT RECLAMATION:	The stabilization of an inactive portion of a landfill or borrow pit according to an approved land re-use strategy.
LANDSCAPING CONTRACTOR BUSINESS:	A business principally engaged in the decorative and functional alteration, planting, and maintenance of grounds.
LAUNDROMAT:	A facility where patrons wash, dry, or dry clean clothing in machines operated by the patrons.
LP GAS OR FUEL OIL SALES:	Sale (retail or wholesale) of flammable and combustible liquids, compressed gases or liquefied petroleum gas (LP gas).
LUMBER YARD:	A facility or area where building materials such as lumber, plywood, drywall, paneling, cement blocks, bricks, tiles and other building products are stored and sold at retail. Lumber yards may provide for the sale of associated products such as tools and fasteners. The manufacture or fabrication of lumber products, the storage or sale of firewood, or a sawmill are not included.
MANUFACTURED HOME PARK:	Any lot or parcel under single ownership on which two (2) or more manufactured homes are to be located or intended to be located for purposes of residential occupancy.
MANUFACTURING, INDUSTRIAL:	An establishment at which an economic activity involves the mechanical or chemical transformation of materials or substances into new products, including the assembly of component parts, the manufacturing of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors. The manufacture of industrial solvents and cleaners shall be included.
MANUFACTURING, LIGHT:	A use engaged in the manufacture of finished products or parts predominantly from previously prepared materials, including: processing, fabrication, assembly, treatment and packaging of their products and incidental storage, sales, and distribution of their products. The manufacture of industrial solvents and cleaners shall not be included.

MINING:	Any mining or similar activity including gravel and/or sand pits, quarries, oil, gas, and mineral extractions and treatment activities, facilities and operation. Sod farms, land leveling for agricultural purposes and excavation for permitted uses per this title shall not be included in said definition.
MOBILE HOME/ MODULAR UNIT/ TRAILER HOME, SINGLE-WIDE:	A vehicle with or without motive power designed to be used for human habitation. Also, a vehicular portable structure for human habitation built on a chassis and designed to be used without a permanent foundation which is not taxed as real property by the county and state.
MUSEUM:	A permanent building for the purpose of storing, preserving and exhibiting historic, artistic or scientific objects.
OFFICE/ PROFESSIONAL BUSINESS:	An establishment providing direct services to consumers such as insurance agencies, title insurance companies, real estate offices, and medical or dental clinics. It does not include retail sales.
PET STORE:	A retail sales establishment primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds and reptiles excluding exotic and farm animals.
PLANT NURSERY/ GREENHOUSE:	A place at which occurs the growing, cultivation, storage or sales of plants, flowers, garden stock, trees, or shrubs to the public. The plants may be grown on-site outdoors or in a greenhouse. A nursery may be part of a landscaping business.
PLAYGROUND:	The provision of outdoor playground or recreation that is accessory to a subdivision, apartment or condo complex, church or other similar principal use, whether public or private.
PLUMBING/HEATING EQUIPMENT SHOP:	A business that sells plumbing fixtures, heating equipment, hardware and accessories to the public or contractors.
PRINTING OR PUBLISHING:	A commercial printing operation involving a process that is considered printing, imprinting, reproducing, or duplicating images and using printing methods including but not limited to offset printing, lithography, web offset, flexographic, and screen process printing.
RETREAT CENTER:	A facility used by small groups of people to congregate temporarily for such purposes as education, meditation, spiritual renewal, meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meal or overnight accommodations. Housing for participants may be in lodges, dormitories, sleeping cabins (with or without baths), or in such

other temporary quarters as may be approved, but kitchen and dining facilities shall be located in a single centrally located building or buildings.

**RECREATION  
AREA:**

Facilities for shooting or archery ranges, rod and gun clubs, paintball, nordic skiing, ropes courses, ice skating or other forms of non-motorized outdoor recreation for which buildings are incidental and accessory.

**RECREATION  
FACILITY:**

An establishment providing sports, fitness, entertainment, or recreation for participants or spectators, but does not include a sexually-oriented business.

**RECREATION,  
MOTORIZED:**

A track for motorized recreation.

**RECYCLING DROP-  
OFF:**

A location where mobile bins or drop boxes may be sited as a recyclable material collection point for nearby residents for the temporary storage of recoverable/recyclable materials from normal household operations. No permanent storage or processing of such items shall be allowed. This facility would generally be located in a parking lot in public/quasi-public areas, such as in churches or schools.

**RESEARCH FACILITY:**

Laboratories, building complexes, and structures that are for research, development, and testing that do not involve the mass manufacture, fabrication, processing or sale of products. Such uses shall conform to state and federal air and water regulations.

**RESTAURANT:**

An establishment primarily engaged in preparation of meals for compensation, with kitchen facilities for the preparation of the food sold, where alcoholic beverages may or may not be sold in conjunction with meals only, provided that at least 70% or more of the gross income generated at the restaurant is related to food sales, and including among others, such uses as café, cafeteria, coffee shop, lunchroom, tearoom, dining room, food delivery, and food take-out.

**RIDING ACADEMY:**

An establishment where horses are boarded and cared for, and where instruction in riding, jumping and showing is offered.

**RIDING/TRAINING  
STABLE:**

An operation where horses may be stabled for the public for a fee. The owner/operator may provide training for a fee for stabled horses and the owners thereof or the stabled horse owner agent.

**ROADSIDE STAND,  
AGRICULTURAL  
PRODUCTS:**

A temporary structure erected for the display of grown or produced agricultural products, generally on the same premises where produced, with no space for customers within the structure itself.

SALVAGE YARD:	Any location where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled or handled, including scrap metal, other scrap material or for the dismantling, demolition appliances, papers, rags, tires, and bottles, etc., or any parts thereof.
SEWAGE TREATMENT FACILITY:	A facility for the collection, treatment and disposal of human waste and wastewater for a given service area.
SEXUALLY ORIENTED BUSINESS:	An adult arcade, adult bookstore or adult video store, adult cabaret, adult live entertainment facility, adult motel, adult motion picture theater, adult theater, escort agency, <del>nude model studio</del> , or sexual encounter center.
SHEET METAL FABRICATION:	An establishment engaged primarily in the on-site production of sheet metal fabrication, roofing products and signs within an enclosed structure.
STORAGE FACILITY:	A building or premises in which goods, merchandise or equipment are stored for eventual distribution.
STORAGE UNITS:	A structure containing separate individual and private storage spaces of varying sizes, owned leased/rented on individual leases for varying periods of time. The following uses are prohibited: residential, commercial, wholesale or retail sales, or garage sales; the servicing, repairing or fabrication of motor vehicles, boat trailers, lawn mowers, appliances or other similar equipment; operation of power tools, spray painting equipment, welding equipment, kilns, or other similar equipment; the establishment of transfer and storage business; and any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.
STUDIO:	A workspace for an artist, artisan or craftsperson, including persons engaged in the application, teaching, or performance of fine arts or crafts, that commonly include visual and performing art forms such as, but not limited to, drawing, painting, sculpture, vocal or instrumental music, dance, theater, photography, printmaking and writing. This use may include incidental sales to consumers of works produced on site.
TELE-COMMUNICATION TOWER:	A transmission tower that serves an individual user or is privately owned and operated for the purpose of leasing space to others or for commercial use.
THEATER:	A building used primarily for the presentation of live stage production, performances or motion pictures, excluding drive-in theaters.

THEATER, DRIVE IN:	Facility used for outdoor motion picture viewing, which may include the preparation and sale of food for on-site consumption, as well as the hosting of outdoor events with special permits.
TRANSFER STATION:	A fixed facility at which solid waste collected from any source is temporarily deposited to await transport to another solid waste facility. A transfer station may include a solid and household waste resale store.
TRANSPORTATION TERMINAL:	A facility operated in conjunction with mass transportation for passengers. It may be a building or area where passengers change transportation modes or transfer from one vehicle to another, where transportation vehicles are parked or stored between uses, or where private vehicles are parked for less than 24 hours while the passengers are using the mass transportation system.
TRUCK STOP:	A fuel station often combined with a restaurant or other facilities, usually along a major highway and frequented by truck drivers and travelers.
UPHOLSTERY OR FURNITURE REPAIR:	A business that repairs and replaces upholstery or otherwise repairs household and office furniture. This does not include motor vehicle upholstery.
UTILITY BUILDING AND SERVICES:	The premises and enterprise where electricity, natural gas, telephone, wireless communications, water supply, wastewater treatment, or other services, are provided to customers, and includes substations.
UTILITY INFRASTRUCTURE/ LINES:	Facilities for the transmission of telephone, cable television, or other broadcasting or communication services, drainage, electricity, gas irrigation water, sewage, or water, and including relay, booster, pump, or other station.
VARIETY STORE:	A retail establishment for the sale of general merchandise.
VEHICLE BODY SHOP:	A facility that provides collision repair services including body frame straightening, replacement of damaged parts and painting.
VEHICLE REPAIR SHOP:	A building, or portion thereof, other than a private garage, designed and used for servicing, repairing, equipping, selling, or storing motor driven vehicles.
VEHICLE SALES LOT:	Premises on which new or used passenger automobiles, mobile homes, recreation vehicles, travel trailers, campers, boats, personal watercraft, or trucks in operating condition are displayed in the open for sale, trade or rental, where repair of such vehicles is limited to vehicles owned by

the sales lot operator and offered for resale, and includes incidental storage and maintenance.

VEHICLE STORAGE:	An area for long-term parking/storage of operable personal vehicles/equipment such as motor boats, motor homes, camping trailers, RVs, snow machines, etc., rather than parking such vehicles at the owners' residences when they are not in use. No for-sale signs shall be allowed on any of the stored/parked vehicles.
VEHICLE WASH:	A place or structure having special equipment for washing automobiles and trucks.
VETERINARY CLINIC:	An establishment for the care and treatment of small or large animals including livestock, horses and household pets under the direction of a licensed veterinarian.
VITICULTURE:	The agricultural use of land for the primary purpose of growing, harvesting, producing, or selling of grape or other crops used to produce wine or similar spirits.
WAREHOUSE AND DISTRIBUTION:	An establishment primarily engaged in the wholesaling, storage, and handling of materials and equipment other than live animals or plants.
WASTE MATERIAL RESALE STORE:	An establishment devoted exclusively to the sale of solid and household wastes, on the same premises as a transfer station that has a valid conditional use permit and meeting the requirements in 8-6-2 B.
WATERSUPPLY OR TREATMENT FACILITY:	A facility for the storage and/or treatment of culinary water.
WELDING/MACHINE SHOP:	A workshop in which metal and other substances are cut, shaped, welded, etc., by machinery.
WILDLIFE FACILITY:	An establishment and operation for the purpose of breeding, raising, rehabilitating, training, protecting, hunting, or selling wild animals, licensed by the state as necessary.
WIND ENERGY SYSTEM:	A conversion system turning wind into electricity consisting of a wind turbine and/or a tower or associated control or conversion technologies with a rated capacity appropriate to the on-site electric usage.
WIND FARM:	A network of densely arranged, high speed, wind turbines for generating electricity.



**WINERY:** An agricultural processing facility or business that ferments and processes wine, fruit, or other plants or vegetables into wine. Processing includes wholesale sales, crushing, fermenting, blending, aging, storage, bottling, administrative office functions, and warehousing. Retail sales, tasting facilities, the incidental provision of food without compensation, and related promotions are also included as part of a winery.

**WOOD PRODUCTS:** A use that includes an operation or facility that has, as its predominant purpose, the sawing or planing of logs into rough slabs or dimensional lumber and includes the production of by-products such as wood chips. It also includes an operation where logs are cut into firewood and stored for later distribution.

**CHANGE 8-4-3 TO READ AS FOLLOWS.**

**8-4-3: CLASSIFICATION OF NEW AND UNLISTED USES:**

**A. APPLICATION:** A request for a new use or unlisted land use shall be presented in an application to the Planning Administrator for consideration with regard to the North American Industry Classification System (NAICS). The NAICS manual is the standard code system describing and classifying business establishments on the activities in which they are primarily engaged.

Any use not shown as in a zoning district in Table 8-4-1 is specifically prohibited in that district, unless one of following two actions occur:

1. If a use is not listed on Table 8-4-1, the use shall be allowed in a zone district that permits a listed, materially similar use. To determine materially similar uses, the Planning Administrator shall refer to the North American Industry Classification Manual (Executive Office of the President, Office of Management and Budget, 2007 or most recent), hereafter "NAICS". The use shall be considered materially similar if it falls within the same industry group of the NAICS [four (4) digit number given with each use listed]. The Planning Administrator shall notify the commission and the board of the land use determination and process the administrative change into Title 8 within the following 12 months.
2. If the Planning Administrator determines that there is not a use in Table 8-4-1 having the same four digit category number, then the Planning Administrator shall place the application for a new or unlisted use on the agenda of the Planning & Zoning Commission. Said application shall be processed in accordance with the public hearing process as outlined in Sections 67-6511 and 67-6512 of the Idaho Statutes, which requires a public hearing by the commission and the Board of County Commissioners. The application shall concurrently be considered an amendment to Title 8.

**B. ACTION BY COMISSION OR BOARD:**



In the case of A 2 above, the commission shall [the rest of 8-4-3 stays the same]

#### **ADD TO FOOTNOTES REGARDING STRUCTURES.**

#### **8-4-4: HEIGHT, SETBACK AND LOT SIZE:**

**TABLE 2  
HEIGHT, SETBACK AND LOT SIZE SCHEDULE**

Description	Zoning Districts					
	A/RR 2.5 <sup>e</sup>	A 20 <sup>e</sup>	R1	R2	C1 C2 C3	M
Maximum Height	30' <sup>b</sup>	30' <sup>b</sup>	30' <sup>b</sup>	30'	45'	45
Minimum Front Yard Setback <sup>d</sup>	30'	30'	30'	20'	0'	0'
Minimum Rear Yard Setback <sup>d</sup>	40'	40'	20'	20'	10'	10'
Minimum Side Yard Setback <sup>d</sup>	30'	30'	10'	10'	10'	10'
Minimum Teton River Setback <sup>c</sup>	100'	100'	100'	100'	100'	100'
Minimum Stream/ Creek Setback <sup>c</sup>	50'	50'	50'	50'	50'	50'
Minimum Irrigation Ditch/Canal Setback <sup>c</sup>	15'	15'	15'	15'	15'	15'
Minimum Lot Width	—	—	—	—	75'	70'
Minimum Lot Size <sup>a</sup>	2.5 acres <sup>a</sup>	20 acres <sup>a</sup>	9000 sf <sup>a</sup>	7000 sf <sup>a</sup>	-----	-----

<sup>a</sup> Lot sizes of PUD's shall be determined in accordance with title 9 chapter 5. Minimum lot sizes in PUD's may be smaller than listed above if central water and/or central sewer systems are provided and approved by the Department of Environmental Quality of the State of Idaho.

<sup>b</sup> 60 feet is the maximum height for silos, barns, granaries and wind energy system towers in this district.

<sup>c</sup> Setbacks are measured from the side of the channel or high water mark whichever is greater. )

<sup>d</sup> Setbacks for a detached accessory structure 200 square feet in size or less shall be a minimum of twelve feet (12') from any property line and easement. (A site inspection permit will be required.)

<sup>e</sup> Any structure over 200 square feet in floor area that meets the agricultural exemption status of Title 6 will be required to meet the A-20 setback requirements in the above Table 2.

#### **ADD NEW SECTION 8-4-6 REGARDING OUTDOOR LIGHTING.**

#### **8-4-6 OUTDOOR LIGHTING**

**A. Purpose:** This Section requires specific types of light fixtures and lighting levels for commercial, public, and residential lights in Teton County. The purpose is to protect the health, safety, and general welfare of the county residents by providing even, adequate lighting for safety and security that is not excessive, does not interfere with vision because of glare, is even to avoid excessive visual

adjustment to varying light levels, permits the viewing of the night sky, and is not obtrusive to homes and public places. This Section also requires the design approach to area lights to be greater in number, lower in height, and lower in lumens, rather than fewer in number, higher in height, and higher in lumens.

**B. Compliance:** All building and land use applications shall provide information to show compliance with this Section.

1. Proposed projects with outdoor lighting shall provide the proposed location, height, and orientation of lighting fixtures, fixture details, supports, shielding, and lamp specifications.
2. The Lighting Official may require additional technical information for large projects, including but not limited to any or all of the following:
  - a. Manufacturer's photometric data: plots of illuminance, product specifications or access to IES-formatted electronic data files for the installation.
  - b. Photometric Layout showing luminaires and initial and maintained horizontal and vertical illuminance within the site and to 20 feet beyond the property boundary, maxima, minima, and uniformity ratios on a grid no greater than 10 by 10 feet.
3. Deviations from requirements of this Section may be requested prior to submittal of an application or at the same time as the application submittal. The Planning and Zoning Commission will review and act on the deviation request at a public meeting. The applicant must demonstrate each of the following:
  - a. The proposed deviation is justified by unusual circumstances and appropriate to the location of the lighting and the surrounding neighborhood.
  - b. The proposed deviation will not unreasonably diminish the health, safety, or welfare of the surrounding neighborhood uses.
  - c. The proposed deviation substantially conforms to these exterior lighting regulations.

**C. Requirements.** Except as provided in D below, exterior lighting shall use fully shielded fixtures ~~and shall be designed and installed so as to prevent light trespass.~~

1. Color: High-pressure sodium lamps should be used for commercial and public land uses. However, other types of lamps may be used for land use applications, such as retail sales lots, where a need for color rendition necessary to the light's function can be demonstrated. Lamps with a color rating of 3000K or less should be used. The illuminance limits in this Section may be reduced, at the discretion of the Lighting Official, to account for the visual response to lights having a higher content of blue light.
2. Light trespass: All non-residential outdoor lighting fixtures emitting more than 2000 lumens shall be shielded such that the illuminance does not exceed 0.1 foot candles at the property boundary with a residential use or 0.2 foot candles at the property boundary with a non-residential use.

**D. Exceptions.** These outdoor lighting regulations do not apply to the following applications:

1. Holiday lighting.

2. Temporary emergency lighting needed by the fire, police, or ambulance district/department, or other emergency services.
3. Highway projects constructed or bid by the State ITD or federal government.
4. Lighting of radio, communication and navigation towers provided the landowner demonstrates that the Federal Aviation Administration (FAA) regulations require the use of lighting that does not comply with these regulations.
5. Lighting for flags, provided:
  - a. ~~The flag is a United States of America or State of Idaho official flag. The flag conveys a non-commercial message.~~
  - b. The light is shielded to prevent glare.
  - c. The maximum lumen output is one thousand three hundred (1,300) lumens. Down-lighting of flags is encouraged.

**E. Prohibitions.** The following applications, unless exempted by D. above, are prohibited:

1. Flashing, blinking, intermittent lights or other lights that move or give the impression of movement.
2. Searchlights, high intensity floodlights, laser source lights, illusion lights, or any similar high intensity light.

**F. Public and commercial Lights:**

1. Parking area and other area lights: The height of parking area and other area lights, including wall mounted lights, shall not exceed twenty feet (20'). Such lighting shall not exceed a maximum initial horizontal illuminance of 4.0 foot-candles.
2. Outdoor retail areas: All lights mounted on or within the lower surface of a canopy shall be fully recessed or fully shielded. Shielding provided by the surrounding canopy structure or the edge of the canopy is not sufficient. Approach and driveway lighting shall not exceed a maximum horizontal illuminance of 4.0 foot-candles; pump island or merchandise area lighting - 20 foot-candles; building facade or services area - 5.0 foot-candles.
3. Buildings: Building entrances may have up to 4000 lumens, except entrances/exits at senior care facilities, police stations, fire stations, and emergency rooms or vehicle entrances may have up to 8400 lumens in addition to the foot-candle limits.
4. Signs:
  - a. Externally lit signs shall be illuminated only with steady, stationary, shielded light sources directed solely onto the sign from above without causing glare. Lamps used for illuminating a sign shall be simple in form and should not clutter the building or structure. All light sources should shine only down.
  - b. Lights that flash or move in any manner, colored lights, and exterior neon signs are prohibited.
  - c. Internally lit signs shall have a dark or opaque background.
5. Street lighting: Streetlights should be high pressure sodium. Streetlights along residential streets shall be limited to a maximum rated lamp lumens of six thousand four hundred (6,400). Streetlights shall have distributions or house side shields that limit lighting of residences, and shall be between twelve (12) and twenty (20) feet in height. Streetlights are discouraged in areas that are naturally dark.

6. Athletic facilities. Luminaires for special purpose facilities, including arenas, amphitheaters, or playing field facilities shall be fully shielded, or be designed ~~or provided with sharp cutoff capability~~, so as to minimize up-light, ~~spill-light trespass~~, and glare. Such facilities shall be lighted to the levels recommended by the IESNA Recommended Practice IESNA 06-01 or its successors for Class III or IV facilities as applicable. All recreational lighting shall be turned off within thirty (30) minutes of the completion of the last game, practice, or event. In no case shall recreational lighting occur after 11:00 P.M. except to conclude a specific sporting event that is underway.
7. ~~Wall washing lights shall be fully shielded, directed downward, and shall follow the horizontal illuminances in K below, including reflection from the wall.~~

**H. Residential Lights.** Residential fixtures in the A-20, A-2.5, R-1, and R-2 districts shall conform to the following provisions:

1. Exterior lighting on residences brighter than a 60 watt incandescent light, or no brighter than a 75 watt incandescent light if controlled by a motion detector, shall be shielded so that no light is projected above the horizontal, and the lamp shall be diffused or shielded so that it cannot be seen from roadways, public areas, or any other property.
2. Floodlights are discouraged. Floodlights on residences with external shielding shall be permitted provided that they are angled so that the centerline of the light beam is directed below a thirty degree (30°) angle measured from the vertical line from the center of the light extended to the ground, and only if the fixture does not cause glare or light to shine on adjacent property or rights-of-way. Motion detector lights are encouraged, but they shall meet the requirements for floodlights.

**I. Operation of Lighting.** All nonessential exterior commercial and recreational lighting shall be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights that shut off five (5) minutes after activation ceases are encouraged if lights are needed for security purposes.

**J. Existing Lighting.** All existing exterior lighting in Teton County installed before the effective date of this amendment shall be brought into conformance with this section within the following time periods:

1. All existing exterior lighting located on a property that is part of a building or land use application is required to be brought into conformance with this section before issuance of a certificate of occupancy, final inspection, or final plat recordation, whichever is applicable. For permits, the applicant shall have a maximum of thirty (30) days from date of permit issuance to bring the lighting into conformance.
2. All other existing exterior lighting on property used for residential, commercial, institutional, or any public and semipublic uses that is not in conformance with this article shall be brought into conformance with this article within five (5) years from the date of adoption of this article.

~~**K. Typical initial lamp output ratings, in lumens.**~~

~~Lamp Type                                      Lamp Wattage                                      Illuminance~~

Incandescent lamp (frosted) (Syl.)	25	235
Incandescent lamp (frosted) (Syl.)	40	375
Incandescent lamp (frosted) (Syl.)	60	890
Incandescent lamp (frosted) (Syl.)	100	1,690
Incandescent lamp (frosted) (Syl.)	150	2,850

Incandescent flood or spot (G.E.)	75	765
Incandescent flood or spot (G.E.)	120	1,500
Incandescent flood or spot (G.E.)	150	2,000

Quartz halogen lamp (frosted) (Syl.)	42	665
Quartz halogen lamp (frosted) (Syl.)	52	885
Quartz halogen lamp (frosted) (Syl.)	72	1,300
Quartz halogen lamp (frosted) (Syl.)	300	6,000
Quartz halogen lamp (frosted) (Syl.)	500	10,500
Quartz halogen lamp (frosted) (Syl.)	1,000	21,000

Quartz halogen flood or spot (G.E.)	20	260
Quartz halogen flood or spot (G.E.)	42	630
Quartz halogen flood or spot (G.E.)	50	895
Quartz halogen flood or spot (G.E.)	75	1,300

————— (all 12-volt MR-16 type)

Fluorescent lamp (Phillips)	7	400
Fluorescent lamp (Phillips)	9	600
Fluorescent lamp (Phillips)	13	900
Fluorescent lamp (Phillips)	22	1,200
Fluorescent lamp (Phillips)	28	1,600
Fluorescent lamp (Phillips)	40	3,150

High pressure sodium lamp (diffuse) (G.E.)	35	2,250
High pressure sodium lamp (diffuse) (G.E.)	50	4,000
High pressure sodium lamp (diffuse) (G.E.)	70	6,400
High pressure sodium lamp (diffuse) (G.E.)	100	9,500
High pressure sodium lamp (diffuse) (G.E.)	150	16,000
High pressure sodium lamp (diffuse) (G.E.)	250	27,500
High pressure sodium lamp (diffuse) (G.E.)	400	50,000

Mercury vapor lamp (white deluxe) (Syl.)	100	4,500
Mercury vapor lamp (white deluxe) (Syl.)	175	8,500
Mercury vapor lamp (white deluxe) (Syl.)	250	11,100
Mercury vapor lamp (white deluxe) (Syl.)	400	20,100

Metal halide lamp (coated) (G.E.)	32	2,500
Metal halide lamp (coated) (Venture)	50	3,400
Metal halide lamp (coated) (G.E.)	100	9,000

<del>Metal halide lamp (coated) (G.E.)</del>	<del>175</del>	<del>15,750</del>
<del>Metal halide lamp (coated) (G.E.)</del>	<del>250</del>	<del>20,500</del>
<del>Metal halide lamp (coated) (G.E.)</del>	<del>400</del>	<del>36,000</del>

~~The above information is from Sylvania #PL 150, General Electric #9200, and Phillips #SG 100 large lamp catalogs.~~

**L. Definitions.** The following definitions apply to this Section.

**Color temperature.** Color characteristics of light (temperatures) measure the appearance of the light from warm (yellows/red) to cool (white). Color temperature is rated in degrees of Kelvin and does not reflect the physical temperature (or heat) of a lamp. Light sources such as incandescent bulbs (2700 degrees Kelvin) and halogen lamps (3000 degrees Kelvin) are at each end of the color spectrum.

**Distribution.** The pattern of light produced by a lamp or light fixture.

**Floodlighting.** An indiscriminate way of lighting an area that is usually associated with outdoor security or utility functions. The light is projected in a broad beam. These lights often blend into the landscape of a home.

**Foot-candle (fc).** The American unit used to measure the total amount of light cast on a surface (illuminance). The unit of illuminance when the foot is taken as the unit of length. Also, it is the illuminance on a surface one square foot in area on which there is uniformly distributed one lumen.

**Full cut-off luminaires.** An industry recognized term meaning: A luminaire designed and installed such that no light is emitted at or above the horizontal, and limited light (100 candela per thousand lamp lumens) is emitted everywhere between horizontal and 10 degrees below horizontal. A full cut-off luminaire is also fully shielded.

**Fully shielded.** The luminaire and its mounting, taken as a whole, that allows no direct light above the horizontal. Fully shielded is not necessarily full cut-off.

**Glare.** Stray light striking the eye that may result in (a) nuisance or annoyance glare such as light shining into a window; (b) discomfort glare such as bright light causing squinting of the eyes; (c) disabling glare such as bright light reducing the ability of the eyes to see into shadows; or (d) reduction of visual performance. The sensation produced by luminance within the visual field that is sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility.

**Height (of light).** The height shall be measured from finished grade to the lamp center or lens surface, whichever is lower.

**Holiday lighting.** Strings of individual lamps, where the lamps are at least three inches apart and the output per lamp is not greater than fifteen (15) lumens.



House side shield. ~~An internal or external shield on a fixture that limits light in one direction. A directionally shielded lighting fixture that emits a light distribution where some light is emitted at or above a horizontal plane located at the bottom of a fixture. Such fixtures may contain visors, louvers or other types of shields or lenses that are designed to direct light onto a targeted area (in this case the side of a house) and to minimize stray light.~~

IESNA recommended practice. A publication of the Illuminating Engineering Society of North America.

Illuminance. The amount of light measured in foot-candles falling on any point of a surface. All illuminance values in this title shall be initial values based on new lamps and fixtures. Unless otherwise specified, “illuminance” refers herein to horizontal illuminance, measured at ground level.

K. A kelvin. ~~A unit of temperature. In this ordinance, it refers to the Correlated Color Temperature (CCR), a measure of the color spectrum of a lamp. Lower Correlated Color Temperatures indicate a “warmer” or less bluish light source. One thousand lumens. As the kelvin changes, so does the color and light output. The higher the Kelvin, or the more color received, the lower the light output.~~

Lamp. The generic term for an artificial light source, e.g. bulb, to be distinguished from the whole luminaire.

Light trespass. Light falling on the property of another or a right-of-way when it is not required to do so.

Lighting official. The person designated by the County to administer this Section.

Lighting plan. Documents specific to a land use that describe the location and characteristics of all exterior lighting and the light levels on the property and at the property boundaries.

Lumen. A rating; a manufacturer-supplied measure of light emitted from a lamp. All lumens in this Section are initial lumens, that is, the amount emitted by a new lamp after 100 hours of seasoning. Lumens are usually listed on lamp packages as “Light Output”. Also, the amount of light a bulb produces or a quantitative unit measuring the amount of light emitted from a light source.

Luminaire. The complete lighting unit, including the lamp, the fixture, and other parts.

Motion detector. A device that activates a luminaire when it senses motion. To meet the exemptions in this Section, motion detectors must sense motion only on the property on which it is installed and must switch the luminaire off within five (5) minutes after detected motion ceases.

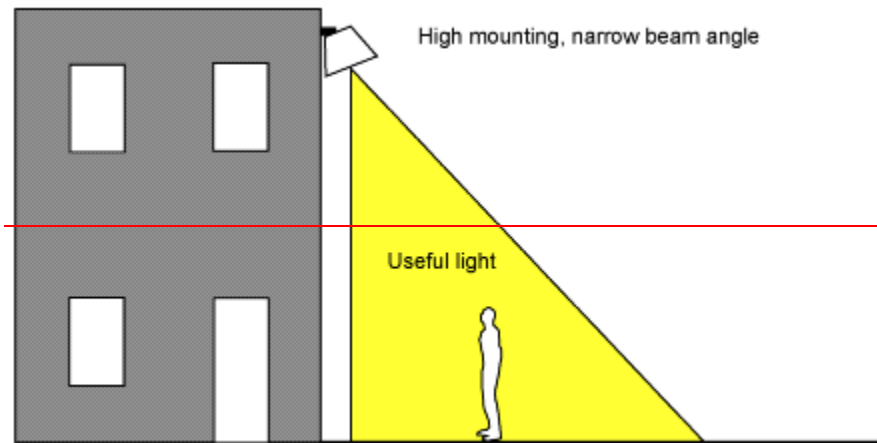
~~Sharp cut-off capability. A device that linearly limits the threshold of light intensity.~~

~~Spill light. Light rays, from spotlights and other focused light sources, that are not useful, e.g., producing lighting where it is not wanted on a stage.~~

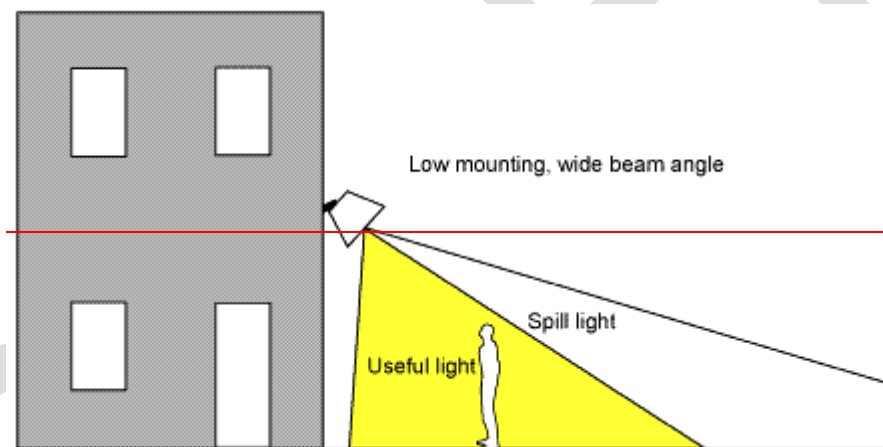
~~**Figure 9. Floodlight at a higher mounting height with narrow**~~



**beam-angle, resulting in less spill light**



**Figure 10. Floodlight at a lower mounting height with wider beam angle, resulting in more spill light**



**Up light.** The light from a source shining up towards an object.

**Wall washing light.** A smooth even distribution of light over a wall.

**ADD NEW SECTION 8-4-7 REGARDING HOME OCCUPATIONS.**

**8-4-7: HOME OCCUPATIONS:**

Purpose. Recognizing the desire of some citizens to use their residence for business activities, Teton County supports low-impact home occupations as an economic development tool to facilitate the economic health of the community. These performance standards are minimum requirements to permit limited business or commercial use and activity in a residential dwelling or allowed accessory building without requiring a zone change or conditional use permit, while assuring that the use or activity does not

diminish the overall character of the neighborhood or the general health, welfare, and safety of the County.

Definitions. “Applicant” means the owner of the residence and may or may not also be the operator.

“Home Occupation” means an activity conducted in a dwelling unit or accessory building in a residential zone (A-20, A-2.5, R-1, R-2) as an economic enterprise or for financial gain by a member of the household residing therein that is clearly incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character of the dwelling or the accessory building or change the residential character of the neighborhood.

“Operator” means the person conducting the home occupation and may or may not also be the owner of the residence.

“Resident Family Member” means the head of household and all other people in the living quarters that are related to the householder by birth, marriage, or adoption.

#### THE FOLLOWING ARE THE TETON COUNTY HOME OCCUPATION PERFORMANCE STANDARDS:

Acceptable Uses. Any business enterprise may qualify as a home occupation if it is in compliance with all performance standards of this Ordinance, except for the following uses: Sexually-oriented business as defined in Teton County’s Title 8, Zoning Regulations.

Advertising Displays. The display of goods, wares, machinery, or other materials used in the home occupation shall not be visible from any private or public road or from adjacent properties.

Certificate of Occupancy. Prior to a home occupation receiving its first Teton County Home Occupation permit, the Building Official will determine whether the dwelling or approved accessory building in which the home occupation will be located has received a Certificate of Occupancy from, or had a final inspection by, Teton County Building Department.

Compliance. The applicant shall stay in full compliance with this ordinance. If a deficiency is identified during an inspection, the County shall notify the applicant in writing (certified mail, return receipt requested) of the deficiency including explanation. A deficiency shall be corrected within thirty (30) days of notice, providing evidence to the County of the correction. Failure to correct a deficiency within the allotted time may result in suspension or revocation of the Home Occupation permit.

Customers. Customer or client visits to the home occupation are restricted to the hours from 8:00 a.m. to 6:00 p.m. Monday through Saturday.

- Deliveries. Deliveries may only occur between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday.
- Employees. A home occupation may have no more than one (1) employee (full or part-time) working on the premises who is not a resident of the dwelling. There is no restriction on the number of off-site employees, and there is no limit on the number of resident family members who may assist with the operation of the home occupation.
- Exception. A home occupation shall not be permitted on a lot or parcel that has two dwelling units, unless the Planning Administrator finds that the occupancy of one of the dwelling units generates less than ten (10) vehicle trips per day. A home occupation shall not be permitted on a lot or parcel that has three or more dwelling units.
- Fee. The applicant shall pay a Home Occupation permit fee or a renewal permit fee as part of the application submittal unless all of the following exceptions are met: no on-site client visits, no visible storage, no non-resident employees, and no signage. Required fees are found on the Schedule of Fees for Planning & Zoning Activities in effect at the time of application or renewal application submittal.
- Health/Safety Factors. The Planning Administrator may require written documentation from the applicant verifying that the Home Occupation does not create any health or safety concerns.
- Inspection. By signing the application or renewal application for a home occupation, the applicant expressly grants permission to Teton County, the Eastern Idaho Public Health District, and the Teton County Fire Protection District to perform physical inspection of the part of the dwelling, the accessory building, and the premises used for the home occupation before issuing a permit as well as to investigate any formal complaint filed with the Planning Department. Teton County will provide no less than five (5) day's notice of an upcoming inspection, unless the County feels a life safety situation requires more immediate inspection.
- Lighting. All lighting on the resident property shall conform to the Outdoor Lighting (Dark Sky) requirements of Title 8 (add correct code later).
- Manufacturing. The assembly of products with the use of automated manufacturing equipment is prohibited.
- Maximum Floor Area. A home occupation may be located within a dwelling and/or an accessory building, but is limited to one-third (1/3) the gross floor area of the dwelling or 600 square feet whichever is greater, not to exceed 1,500 square feet.
- Modification of Structures. Any modification, either permanent or accessory, that will change the residential appearance or characteristics of the structure is prohibited.

<u>Off-street Parking.</u>	Off-street parking shall be provided for all employees and visitors and any vehicles, including trailers, associated with the home occupation. Parking areas shall not change the character of the residential neighborhood.
<u>Other Laws &amp; Regulations.</u>	A home occupation is subject to all licensing, inspections, laws, regulations, and state sales and use taxes as any other business.
<u>Outdoor Storage.</u>	The storage of any materials, vehicles, or trailers associated with the home occupation shall be either in an enclosed structure compatible in nature with the design characteristics of the neighborhood or within an area that is screened from public view according to Teton County standards.
<u>Permit.</u>	A home occupation requires a Teton County Home Occupation permit, subject to the limitations and restrictions of this ordinance. The applicant and the operator must submit a completed application, including all applicable forms and reports, to the Planning Department. The submitted information enables the Planning Administrator to determine if the proposal is in compliance with all required performance standards, and if so, and if the property taxes are paid current on the property, to issue a permit.
<u>Permit Duration and Renewal.</u>	A Teton County Home Occupation permit is valid for two (2) years from the date of issuance. A permit may be renewed for an additional two (2) years with the submittal of the renewal application, along with all applicable forms and reports, and the renewal fee in effect at the time of the renewal application to the Planning Department. The renewal application must be signed by the applicant and also include a signed declaration by the operator that all required performance standards are still being met. The Planning Administrator will determine if the home occupation complies with all required performance standards in effect at the time of renewal application, and if property taxes are paid current, to issue the renewal permit. There is no limit on the number of renewal permits requested.
<u>Sales.</u>	Retail sales of goods not produced on the premises shall be incidental, accessory and secondary to any services provided by the home occupation. This section does not limit the sale of products or merchandise sold off-premises. A Home occupation may include the sale of a service or services meeting the performance standards in this ordinance.
<u>Signage.</u>	Informative signs are exempt under Title 8 (8-9-2-C-13). Occupation and Information signs (8-9-4-G-3 and 4) not to exceed six (6) square feet in area may be displayed on premises. Off-premise home occupation signs are prohibited.
<u>Traffic.</u>	Vehicle traffic generated by the operation of the home occupation shall not exceed fourteen (14) vehicle trips per day. A vehicle trip is any vehicle either to or from the premises where the home occupation is located that is directly associated with the home occupation, including business-related owner, employee, client, and delivery vehicle trips.

Vehicles. The vehicles used in the operation of the Home Occupation, delivery vehicles to and from the premises where the Home Occupation is located, and employee vehicles parked on the premises shall not have more than two axles, except for parcel delivery vehicles with rated gross vehicle weight of less than 18,500 pounds.

## **CHANGE CHAPTER 6 TITLE AND ADD 8-6-2 USES PERMITTED WITH CONDITIONS.**

### **CHAPTER 6**

#### **CONDITIONAL USE PERMIT AND USES PERMITTED WITH CONDITIONS**

##### **SECTION:**

8-6-1: Conditional Use Permit Procedures

##### **SECTION:**

8-6-2: Uses Permitted with Conditions Procedures

#### **8-6-2: USES PERMITTED WITH CONDITIONS PROCEDURES:**

**A. PROCEDURE:** Applicants for a use permitted with conditions (PC) are required to have a pre-application conference with the planning administrator or his/her designee. Requests for a PC shall be submitted on the prescribed application form to the planning administrator who shall approve or disapprove the application. In the case where an application is disapproved, the applicant may choose to apply for a conditional use permit following the procedures in 8-6-1 above.

1. Application Form: Application and checklist for a PC permit shall be filed with the Planning Department on forms prescribed by the commission accompanied by such data and information necessary to assure the fullest presentation of facts and evaluation of the requested permit.

2. Filing Fee: A filing fee as set by the current fee schedule shall be submitted by the property owner or owner's representation at the time of filing on application for a PC permit. The county shall accept no application or filing fee until the applicant for consideration of the request submits a complete application with required information and data.

3. Criteria for Approval: The standard conditions below are applicable to any proposed PC use in the identified zone district. These standard conditions are considered minimum conditions. Conditions other than the standard conditions are listed in Section B below for each PC use. Administrative conditions may be placed on the applicant prior to permit issuance and may be included in the PC permit by the planning administrator, when determined necessary from site evaluations.

a. Buffer: Buffers not less than twenty feet in width from all property lines shall be provided and maintained, unless otherwise specified.

- b. Screening: Screening from adjacent uses or developments, including across a county road from such a use or development, shall be provided and maintained. Screening shall be accomplished by landscaping at least six (6) feet high and should be high altitude, native plant material, trees and shrubs or existing vegetation.
  - c. Lighting: Outdoor lighting, current and future, shall comply with the Dark Sky provisions of this Title, Section 8-4-6.
  - d. Parking: The parking requirements of Title 8, Table 3 shall be met and ADA required handicap parking spaces provided. In lieu of the above, a parking plan prepared by a professional in the field shall be submitted to the planning administrator for consideration.
  - e. Hours of Operation: Hours of operation shall be from 6:00 a.m. to 10:00 p.m. Monday through Saturday, unless otherwise specified in Title 8 or in the PC permit.
  - f. Signage: Signage shall comply with the Title 8 sign requirements.
  - g. Outside Storage: Where outside storage is permitted, such use shall be located in the rear yard and a sight proof fence or natural screening shall be provided and maintained around the storage area at least one foot higher than the stored material.
  - h. Building Height: Maximum height is forty-five (45) feet in the C-1, C-2, C-3, and M-1 districts, and thirty (30) feet in all other districts, unless specified in Title 8 or in the PC permit.
  - i. Technical Studies: For those uses identified by the planning administrator at the pre-application conference as needing technical studies, said studies shall be provided to the planning administrator along with the application for a Use Permitted with Conditions.
  - j. Annual Inspection: The planning administrator may determine that there is a need for an inspection at any time. At a minimum, the use shall be inspected by the county annually for compliance with its conditions.
4. Expiration: A PC permit will terminate twelve (12) months from the date of permit issuance if commencement of the authorized activity has not begun, unless otherwise specified in the permit. The planning and zoning commission and/or the board of county commissioners may review uses permitted with conditions at any time after permit issuance to determine whether the use has changed or the conditions are not being followed.
5. Appeal: The decision of the planning administrator can only be appealed by filing an application for a conditional use permit according to Teton County Code, Title 8, 8-6-1. Also, if a condition or conditions of a specified PC use as listed cannot be met by the proposal, an applicant may apply and follow the procedure for a conditional use permit.
6. Revocation: The Board of County Commissioners may revoke a PC permit at any time when a condition or conditions of the permit are not being met.
7. List of Uses Permitted with Conditions: Files of uses permitted with conditions will be maintained in the Planning Office. PC permits will be reviewed at least once every year after approval, unless conditions otherwise outlined in this title require review more often.

8. Site Plan Required: Whenever a condition listed in B below requires the submittal of a site plan, the proposed operation shall not commence until the site plan has been approved by the Planning Administrator and all required conditions have been met.

9. Building Permits: Any proposed structure must acquire a building permit before work on the structure may commence.

DRAFT

	Buffer	Screening	Lighting	Parking	Operating Hours	Signage	Outside Storage	Building Height	Tech. Studies	Inspections	Comments
<b>Table 8-6-1 Standard PC Conditions.</b> A use in a listed zone district below shall comply with all conditions checked by an X for that use.											
<b>Agriculture</b>											
Agricultural Processing Plant (A-20)	X		X		X		X				X
Beekeeping (A-2.5)	X						X				
Blacksmith (A-20, A-2.5)					X		X				
Commercial Feed Lot (A-20)	X	X					X		X	X	X
Dude Ranch (A-20, A-2.5)			X	X	X		X				
Plant Nursery/Greenhouse (A-20, A-2.5)	X	X	X	X	X	X	X	X			
Riding Academy (A-20, A-2.5, M-1)	X		X	X	X	X		X			
Riding/Training Stable (A-20, A-2.5, M-1)	X	X	X	X	X	X	X	X		X	
Wildlife Facility (A-20, A-2.5)				X	X	X	X				
<b>Residential</b>											
Dwelling, Accessory Unit (A-20, A-2.5)				X							
Wind Energy System (A-20, A-2.5, C-1, C-2, C-3, M-1)	X		X					X	X		X
<b>Retail/Services/Office</b>											
Animal Grooming / Training (A-20)				X	X	X					
Bed and Breakfast Residential (A-20, A-2.5)	X			X		X					
Composting Facility (A-20)	X							X	X	X	
Construction Materials Sales and Services (M-1)			X				X			X	
Heavy Equipment Sales Lot (M-1)	X	X	X	X	X	X	X				
Kennel/Animal Boarding, Pet Daycare (A-20)	X	X	X	X		X	X		X	X	
Storage Units (M-1)		X	X		X	X	X				
Vehicle Repair Shop (M-1)	X	X	X	X	X	X	X				
Vehicle Sales Lot (M-1)	X	X	X	X	X	X	X				
Vehicle Wash (M-1)	X	X	X		X						
Veterinary Clinic (A-20)		X	X	X		X					
Waste Material Resale Store (A-20, M-1)	X	X			X		X				



<b>Table 8-6-1 Standard PC Conditions.</b> A use in a listed zone district below shall comply with all conditions checked by an X for that use. --continued--	Buffer	Screening	Lighting	Parking	Hours of Operation	Signage	Outside Storage	Building Height	Technical Studies	Additional Inspections	Additional Comments
<b>Manufacturing</b>											
Building Trades Subcontractor (A-20, M-1)		X	X	X		X	X				
Cabinet Shop (M-1)							X				X
Clothing Manufacture (M-1)				X	X	X					
Construction/General Contractor (A-20, M-1)	X	X	X	X	X		X			X	
Crematory (M-1)		X	X	X			X				
Furniture/Fixtures Manufacture (M-1)	X	X	X	X	X	X	X			X	
Landscaping Contractor Business (A-20, M-1)		X	X	X	X	X	X				
Lumber Yard (M-1)	X	X	X	X	X	X	X				
Manufacturing, Industrial (M-1)	X	X	X	X	X	X	X				
Manufacturing, Light (M-1)	X	X	X	X	X	X	X				
Sheet Metal Fabrication (M-1)		X			X		X			X	
Storage Facility (M-1)	X		X								
Vehicle Body Shop (M-1)	X	X	X	X	X	X	X				
Vehicle Storage (M-1)	X	X	X	X	X	X	X				
Warehouse and Distribution (M-1)					X		X		X		X
Welding / Machine Shop (M-1)					X		X				X
Wood Products (M-1)	X	X	X	X	X	X	X			X	
<b>Public/ Quasi-Public</b>											
Cemetery (A-2.5)	X	X	X	X	X	X	X	X		X	
Emergency Service Station (A-20, A-2.5)		X	X			X		X			
Playground (A-20, A-2.5, R-1, R-2, C-1, C-2, C-3)			X	X	X	X					
Utility Building and Services (A-20, A-2.5)		X	X	X			X	X		X	
Water Supply or Treatment Facility (A-20, A-2.5)	X	X					X	X			

## **B. PERMITTED WITH CONDITIONS - RESTRICTIONS**

Uses Permitted with Conditions are allowed by permit in the listed zoning district when certain supplementary conditions are met, as described below.

### **1. Agricultural Processing Plant (A-20)**

- a. There shall be no retail sales on the premises;
- b. The facility shall not be open to the public;
- c. Health regulations shall be followed at all times;
- d. All activities shall be conducted within an enclosed building;
- e. Noise shall not exceed sixty (60) decibels at the property boundaries; and
- f. Odors and fumes shall not be detectable beyond the walls of the building in which the use is conducted.

### **2. Animal Grooming / Training (A-20)**

- a. Hours of operation shall be limited to the hours of 7:00 am and 6:00 pm Monday through Saturday;
- b. The sale of pet and veterinary products shall be incidental to the operation;
- c. All animals shall be kept in an enclosed structure except for walking, outdoor exercise, or training when accompanied and controlled by an employee of the business;
- d. An employee, or the owner, shall always be on-site when there is an animal at the facility;
- e. Signage shall not exceed six (6) square feet;
- f. The sales and breeding of animals are prohibited;
- g. There shall be no more than three (3) animals outdoors at one time;
- h. When outdoors, animals shall be leashed, except for training exercises;
- i. Animal runs and exercise areas shall not be located in the front yard or within fifty (50) feet of a property boundary;
- j. All applicable local and state operational requirements shall be met;
- k. There shall be a minimum of one (1) parking space for every employee; and
- l. No vehicles shall be parked in any landscaped area on the property or within a road right-of-way.

### **3. Bed and Breakfast, Residential (A-20 and A-2.5 districts)**

- a. If located in an existing residence, the exterior residential appearance of the dwelling shall be maintained. If an addition is to be made to an existing residence or a new structure is to be constructed, building elevations shall be submitted for approval, and a residential appearance shall be maintained.
- b. The maximum number of guest rooms shall be three (3).
- c. Parking areas shall be located on the side or rear of the property and shall be screened from adjacent residential properties by a solid screen fence or a wall.
- d. A minimum of a 30-foot buffer shall be required on all sides of the premises where a residential structure is within 200 feet of the Bed and Breakfast residence. If

there is an existing residential structure within 200 feet of the Bed and Breakfast residence, a 50-foot buffer shall be required.

- e. Signage for the Bed and Breakfast shall be limited to one (1) entrance sign not to exceed the requirements of Chapter 9 of this Title.
  - f. Food service may be provided to guest rooms. No cooking or food preparation is allowed in guest rooms. Approval for food service must be received from the appropriate Idaho Public Health District and the Teton County Fire Marshal.
  - g. The Bed and Breakfast shall comply with all requirements of the Planning and Building Department, the local fire district, the state health department, and other public agencies exercising jurisdiction over the establishment or operation.
  - h. The Fire District, Public Health District, and Teton County Planning and Building Department shall be permitted to perform inspections as in any other business.
  - i. No person shall be a guest of a Bed and Breakfast for more than fourteen (14) consecutive days.
  - j. If the Planning Administrator does not approve a Permitted with Conditions application for a Bed and Breakfast, the applicant may choose to have said application forwarded to the commission and the board for a decision. In determining whether a bed and breakfast is an appropriate use in the proposed location, the commission and the board may consider the following:
    - i. Whether the use is appropriate in view of the use, development, and zoning of adjacent and nearby property;
    - ii. Whether the use will adversely affect the existing use or usability of adjacent or nearby property;
    - iii. Whether the use is in conformity with the policy and implementation statements of the county's comprehensive plan; and
    - iv. Whether there are existing or changing conditions affecting the use or development of the property that give supporting grounds for either approval or disapproval of the proposed use.
4. Beekeeping (A-20)
- a. The minimum parcel size shall be one (1) acre;
  - b. There shall be a maximum of eight (8) colonies per parcel regardless of parcel size;
  - c. Colonies shall be set back a minimum of seventy-five (75) feet from property lines;
  - d. A constant fresh water source shall be located or provided on the property designed to allow bees to access water by landing on a hard surface. A water supply is not required during inactive months;
  - e. A four (4) to six (6) foot high barrier shall enclose the hive(s) no closer than ten (10) feet from the hive(s). The barrier may be vegetative, wall, fence, or combination thereof;
  - f. Combs and other discarded hive materials shall be promptly disposed of in a sealed container or placed in a building or other bee-proof enclosure;
  - g. Any colony exhibiting aggressive unprovoked behavior shall immediately be destroyed and re-queened with a queen bred for gentleness and non-swarming characteristics;

- h. Colonies shall be kept in hives with removable frames with adequate space and management to prevent overcrowding and swarming; and
  - i. Hives shall be actively maintained in usable condition or promptly disassembled.
5. Blacksmith (A-20, A-2.5)
- a. All activities shall be conducted within an enclosed building;
  - b. Outdoor storage is prohibited;
  - c. Hours of operation is limited to 7:00 am to 6:00 pm, Monday through Saturday;
  - d. Noise shall not exceed sixty (60) decibels at the property boundaries;
  - e. Odors or fumes shall not be detectable beyond the walls of the building in which the use is conducted; and
  - f. The operation shall comply with all applicable local, state and federal requirements, including fire protection.
6. Building Trades Subcontractor (A-20, M-1)
- a. All storage of machinery or equipment shall be placed in the rear or side yards of the building and screened from road views according to Chapter 12 and of sufficient height to hide the storage area;
  - b. Storage areas not readily visible from any road need not provide the screening required in “a” above; and
  - c. If located in an A-20 zoning district, the subcontractor shall be a resident of the premises.
7. Cabinet Shop (M-1)
- a. All activities shall be conducted within an enclosed building;
  - b. Noise shall not exceed sixty (60) decibels at the property boundaries; and
  - c. Odors or fumes shall not be detectable beyond the walls of the building in which the use is conducted.
8. Cemetery (A-2.5)
- a. All State and Federal regulations and requirements shall be met;
  - b. The height of structures shall not exceed thirty five (35) feet;
  - c. Structures shall not be closer than one hundred (100) feet to any property boundary. An above-ground mausoleum shall provide fifty (50) feet of vegetative screening along the property lines adjoining other parcels, according to the screening standards in Chapter 12;
  - d. The minimum lot size for a cemetery is fifteen (15) acres and the minimum lot size for a mausoleum without a cemetery is five (5) acres;
  - e. Vehicles are prohibited from parking on an access road or drive, and one (1) parking space is required per four hundred (400) square feet of sales or office area. Temporary parking on interior drives is permitted for grave site ceremonies;
  - f. Hours of operation are from dawn to dusk; and
  - g. Access shall be via a county or State maintained road.
9. Clothing Manufacture (M-1)
- a. All activities shall be conducted within an enclosed building;

- b. There shall be no retail sales on the premises;
- c. Noise shall not exceed sixty (60) decibels at the property boundaries; and
- d. Odors or fumes shall not be detectable beyond the walls of the building in which the use is conducted.

10. Commercial Feedlot (A-20)

- a. Any agriculture-related feeding or disposal activity as defined in Chapter 2 shall obtain the proper NPDES permit (construction permit and operation permit) when required;
- b. All livestock and poultry shall be kept confined to the premises by erection and maintenance of a stock-tight fence and necessary cattle guards;
- c. Pens, buildings, corrals, and yards other than open pastures shall not be closer than one hundred (100) feet to any road, highway, or existing residential structure; and
- d. The CAFO shall be a minimum of 1,000 feet from a sinkhole, water supply well or reservoir, or losing reach of a stream listed as a waterway in Title 9, 9-2-2.

11. Composting Facility (A-20)

- a. A site plan shall be submitted containing the following information:
  - i. Property boundaries;
  - ii. Dimensions of the area to be used for the operation;
  - iii. Location of the compost piles;
  - iv. Location of any existing structures in the operating area;
  - v. Location of any proposed structures;
  - vi. Distance to the property boundaries for the operation and all structures to be used for the operation;
  - vii. All rights-of-way and easements on the property;
  - viii. Structures off-site that are less than two hundred (200) feet from the property; and
  - ix. Existing and proposed access to the operation.
- b. The minimum lot size for a composting operation is two (2) acres;
- c. The operation of the facility is restricted to the hours between 7:00 am and 6:00 pm Monday through Saturday;
- d. Access through a private subdivision is prohibited;
- e. All access points to a county road or State highway shall be marked and signed to warn of traffic to/from the compost facility;
- f. When an existing residential dwelling is located within two hundred (200) feet of the operating area, a one hundred (100) foot buffer shall be maintained;
- g. Where no residential dwelling is located within two hundred (200) feet of the operating area, a fifty (50) foot buffer shall be maintained;
- h. Screening, according to Chapter 12, shall be required when an existing residential dwelling is located within one hundred (100) feet of the operating area; and
- i. The county engineer shall determine if erosion and sedimentation controls are needed.

12. Construction/General Contractor (A-20, M-1)

- a. All storage of machinery or equipment shall be placed in the rear or side yards of the building and screened from road views according to Chapter 12 and of sufficient height to hide the storage area;
- b. Storage areas not readily visible from any road need not provide the screening required in “a” above; and
- c. If located in an A-20 zoning district, the contractor shall be resident of the premises.

13. Construction Materials Sales and Service (M-1)

- a. Storage of materials outdoors shall be located to the rear or in the side yards of the building and fully screened from road views according to Chapter 12 and of sufficient height to hide the storage area.
- b. Seasonal sales materials may be stored outdoors in front of the building provided that:
  - i. Such materials shall be limited to placement adjacent to the front wall and outside of any drive, walkway, or parking area;
  - ii. A six (6) foot minimum width walkway separate the materials from any paved drive or parking area;
  - iii. Seasonal materials shall not be displayed, stored, or sold in the open for longer than ninety (90) days in any calendar year;
- c. The operation shall not involve the use of external speakers.

14. Dwelling, Accessory Unit (A-20, A-2.5)

- a. An accessory dwelling unit shall be a completely separated and independent additional living unit;
- b. It shall have its own kitchen, bathroom facilities, and sleeping area;
- c. If detached from the primary residential unit, its appearance shall be that of the primary unit or of the same character of the neighborhood and meet the setbacks of the zoning district in which it is located; and
- d. Two (2) off-street parking spaces shall be provided for the accessory unit.

15. Dude Ranch (A-20, A-2.5)

- a. A dude ranch shall be located on a parcel of at least twenty (20) acres;
- b. The maximum number of guests shall be limited to one-half (.5) guests per acre;
- c. Where activities require the use of public lands, the dude ranch shall abut these lands or have access to them by a recorded access agreement or easement across intervening lands or by a public road;
- d. Use of public lands for the activities provided by the dude ranch shall have permission from the appropriate agency;
- e. Central dining facilities shall be provided for guests;
- f. Guest units shall not have cooking or eating facilities;
- g. Up to six (6) one day events may be held per year for guests who want to visit but not stay overnight;
- h. Intense recreational facilities such as a golf course or campground shall not be provided;

- i. The sale of meals to persons who are not overnight guests of the dude ranch shall be prohibited, except for special events;
- j. Guest units shall not be rented or sold for a dwelling unit;
- k. A site plan shall be submitted that addresses the use of motorized vehicles to, from, and within the site, including description of the types of vehicles and road and trail locations;
- l. Employee and guest parking shall be located entirely on-site;
- m. The site plan shall also show that a minimum of 60% of the property remains as open areas; and
- n. All dude ranch facilities shall be clustered to not exceed two (2) percent of the total site area and shall not be closer than two hundred (200) feet to any property boundary or county road.

16. Emergency Service Station (A-20, A-2.5)

- a. A site plan shall be submitted that shows there is sufficient area for buildings, required setbacks, and off street parking;
- b. The site shall be in an appropriate geographical location to its service area;
- c. Access is adequate to and from principal roads; and
- d. Low impact screening according to Chapter 12 shall be provided and maintained along the side and rear property boundaries.

17. Furniture / Fixtures Manufacture (M-1)

- a. All activities shall be conducted within an enclosed building;
- b. There shall be no retail sales on the premises;
- c. Noise shall not exceed sixty (60) decibels at the property boundaries; and
- d. Odors or fumes shall not be detectable beyond the walls of the building in which the use is conducted.

18. Heavy Equipment Sales Lot (M-1)

- a. Vehicles shall be stored within an enclosed building except as provided below;
- b. All outdoor storage shall secure behind six (6) to eight (8) foot high screening, incorporating landscape berms wherever possible;
- c. Side and rear property boundaries shall be screened;
- d. Equipment or materials stored outdoors shall not protrude above the screening;
- e. Security lighting of outdoor storage areas shall be provided, such lighting meeting the requirements of Section 8-4-6;
- f. The site shall include an adequate off-street loading/unloading area;
- g. Equipment stored on-site shall be contained in an area paved or gravel area separate from the required parking spaces;
- h. No equipment shall be parked in any landscaped screening area on the property or within a road right-of-way;
- i. Driveways, parking lots, and loading/unloading areas shall be paved;
- j. Boats shall not be repaired on the site;
- k. All maintenance services shall be conducted entirely within an enclosed building;



- l. Maintenance facilities or doors shall be oriented so that the doors do not face a public road right-of-way or a residential use unless there is an intervening building or a minimum thirty (30) foot landscape screening according to Chapter 12;
- m. No gasoline or fuel of any kind shall be sold or dispensed on the site;
- n. The site shall be maintained in a safe, sanitary, orderly condition which does not constitute a public nuisance or adversely affect adjoining properties;
- o. All inoperable, dismantled, or damaged equipment shall be located entirely within an enclosed building at all times;
- p. The site shall be attended on days of operation; and
- q. The use of loud speakers or other exterior amplification devices shall be prohibited.

19. Kennel / Boarding / Pet Daycare (A-20)

- a. A site plan shall be submitted along with the application for a Permitted with Conditions permit and shall contain:
  - i. Property boundaries;
  - ii. Dimensions of the area to be used for the kennel operation;
  - iii. Location of the kennels and runs;
  - iv. Location of any existing structures in the kennel area;
  - v. Location of any proposed structures;
  - vi. Distance to the property boundaries for the kennels and runs and all structures to be used for the operation;
  - vii. All rights-of-way and easements on the property;
  - viii. Structures off-site that are less than two hundred (200) feet from the property; and
  - ix. Existing and proposed access to the kennel operation.
- b. The minimum lot size for a kennel operation shall be two and one-half (2 ½) acres;
- c. The maximum number of adult animals (over six months of age) kept on the property at any time shall be six (6);
- d. The outdoor runs and boarding areas may operate 24 hours seven days a week;
- e. Where indoor grooming is performed and/or pet supplies are being sold, the structure containing this part of the operation shall be limited to being open between the hours of 7:00 am and 6:00 pm Monday through Saturday;
- f. The sale of pet or veterinary products shall be incidental to the kennel business;
- g. Veterinary care shall be incidental to the kennel operation;
- h. An employee or the owner shall always be on-site when there is an animal at the facility;
- i. When outside an enclosed building, coop, or run, animals shall be accompanied and controlled by an employee of the kennel;
- j. Access through a private subdivision is prohibited;
- k. When an existing residential dwelling is located within two hundred (200) feet of the kennel operating area, a one hundred (100) foot buffer shall be maintained;
- l. Where no residential dwelling is located within two hundred (200) feet of the operating area, a fifty (50) foot buffer shall be maintained;
- m. Screening, according to Chapter 12, shall be required when an existing residential dwelling is located within one hundred (100) feet of the kennel operating area;

- n. All county and State permits shall be displayed on the site; and
- o. Animal waste shall be picked up on a daily basis and disposed of in a proper manner following Idaho Code Title 39 if applicable.

20. Landscaping Contractor/Business (A-20, M-1)

- a. All storage of machinery or equipment shall be placed in the rear or side yards of the building and screened from road views according to Chapter 12 and of sufficient height to hide the storage area;
- b. Storage areas not readily visible from any road need not provide the screening required in “a” above; and
- c. If located in an A-20 zoning district, the contractor shall be a resident of the premises.

21. Lumber Yard (M-1)

- a. All storage of materials outdoors shall be located to the rear or side yards of the building and fully screened from road views according to Chapter 12 and of sufficient height to hide the storage area;
- b. There shall be provided and maintained a minimum six (6) foot high opaque fence with low impact screening according to Chapter 12 along the side and rear property boundaries;
- c. There shall be no manufacture or fabrication of lumber products or sawmill operations;
- d. There shall be no storage or sale of firewood; and
- e. The operation shall not involve the use of external speakers.

22. Manufacturing, Industrial (M-1)

- a. All activities shall be conducted within an enclosed building;
- b. There shall be no retail sales on the premises;
- c. Noise shall not exceed sixty (60) decibels at the property boundaries; and
- d. Odors or fumes shall not be detectable beyond the walls of the building in which the use is conducted.

23. Manufacturing, Light (M-1)

- a. All activities shall be conducted within an enclosed building;
- b. There shall be no retail sales on the premises;
- c. Noise shall not exceed sixty (60) decibels at the property boundaries; and
- d. Odors or fumes shall not be detectable beyond the walls of the building in which the use is conducted.

24. Plant Nursery / Greenhouse (A-20, A-2.5)

- a. Customer parking shall be provided and paved with either asphalt or concrete;
- b. Employee parking shall be either paved or gravel;
- c. Vehicles, nursery product, and other materials shall not be located in the road right-of-way;
- d. Structures shall be in compliance with Building Codes;

- e. Greenhouses shall be located a minimum of fifty (50) feet from road rights-of-way and from any property zoned or used for residential purposes;
- f. Storage of materials, except plants, shrubs, and trees, shall be located to the rear or in the side yards of a building (if applicable) and screened from road views.

25. Riding Academy (A-20, A-2.5, M-1)

- a. There shall be no more than six (6) special events per year associated with the riding academy, including shows, clinics, or contests;
- b. All piles of feed or bedding shall be located at a minimum of fifty (50) feet from any county or State maintained right-of-way or any adjacent property boundary in order to minimize odor and nuisance problems;
- c. Manure piles:
  - i. Shall be stored for removal within an enclosure a minimum of sixty (60) cubic feet in size;
  - ii. Shall be removed from the premises at least one (1) time per week and/or applied to, or harrowed into, an agricultural field meeting all local, State, and Federal requirements for land application;
  - iii. May be composted if the operation meets all local, state, and federal requirements for composting; and
  - iv. Shall be stored no closer than two hundred (200) feet to any parcel boundary or county or State maintained right-of-way.
- d. Bathroom facilities shall be provided meeting the requirements of the State of Idaho;
- e. Customer visits and deliveries to the property shall be limited to the hours of 7:00 am to 8:00 pm daily;
- f. All parking shall be off-street and on-site, spaces screened from view of neighboring properties following Chapter 12, and customers shall not be allowed to park in the front yard;
- g. The number of horses boarded on the site shall be limited to three (3) per acre of the riding academy area;
- h. All applicable local, state, and federal requirements shall be met, including health and fire protection;
- i. There shall be no permanent outside speakers or sound systems; and
- j. All lighting illuminating the outdoor riding area shall be turned off no later than 8:00 pm.

26. Riding / Training Stable (A-20, A-2.5, M-1)

- a. The minimum parcel or lot area shall be two and one-half (2 ½ ) acres, which includes two animal units, and two (2) acres for each additional animal unit;
- b. All piles of feed or bedding shall be located at a minimum of fifty (50) feet from any county or State maintained right-of-way or any adjacent property boundary in order to minimize odor and nuisance problems;
- c. Manure piles:
  - i. Shall be stored for removal within an enclosure a minimum of sixty (60) cubic feet in size;

- ii. Shall be removed from the premises at least one (1) time per week and/or applied to, or harrowed into, an agricultural field meeting all local, State, and Federal requirements for land application;
  - iii. May be composted if the operation meets all local, state, and federal requirements for composting; and
  - iv. Shall be stored no closer than two hundred (200) feet to any parcel boundary or county or State maintained right-of-way.
- d. All points on the perimeter of any stable building and/or corral shall be at least fifty (50) feet from the nearest parcel boundary line or right-of-way line of the parcel on which it is located; and
- e. There shall be no more than one (1) such stable operation/facility allowed per parcel.

27. Sheet Metal Fabrication Shop (M-1)

- a. All activities shall be conducted within an enclosed building;
- b. Noise shall not exceed sixty (60) decibels at the property boundaries; and
- c. Odors or fumes shall not be detectable beyond the walls of the building in which the use is conducted.

28. Storage Facility (M-1)

- a. A site plan shall be submitted that includes detailed information on access, driveways, parking spaces, storage areas, screening, and loading and unloading areas;
- b. The activity shall be conducted entirely within a non-combustible building or area surrounded on all sides by a fence, wall, or approved alternative;
- c. Any such fence or wall shall:
  - i. Have a height adequate to obscure all parts, supplies, or other items from normal view of the public;
  - ii. Have a height of at least eight (8) feet;
  - iii. Have a uniform height, texture, color, and be generally consistent with the character of the neighborhood; and
  - iv. Be maintained so as to ensure the health, safety, and welfare of the public are preserved.
- d. Existing site features that provide complete visual screening may be an alternative to constructing a new fence or wall;
- e. Storage shall not exceed the height of the approved fence or wall; and
- f. Materials (boats, equipment, goods) shall not be stored, loaded, unloaded, or otherwise placed either temporarily or permanently outside the enclosed building, fence, wall, or alternative screening, or within a road right-of-way.

29. Storage Units (M-1)

- a. The use shall be conducted entirely within a non-combustible building or area screened on all sides;
- b. Any such screening shall:
  - i. Have a height adequate to obscure all materials, parts, supplies, or other items from normal view of the public;

- ii. Have a height of at least eight (8) feet;
- iii. Have a uniform height, texture, color, and be generally consistent with the character of the neighborhood;
- iv. Be maintained so as to ensure the health, safety, and welfare of the public are preserved;
- c. Existing site features that provide complete visual screening may be used;
- d. Storage shall not:
  - i. Exceed the height of the screening;
  - ii. Be loaded, unloaded, or otherwise placed either temporarily or permanently outside of the enclosed building or screened area, or within a road right-of-way;
- e. The site shall include an adequate off-street loading/unloading area;
- f. Storage on the site must be contained in a paved or gravel area separate from required parking spaces;
- g. No vehicles shall be parked in any landscape area on the property or within the road right-of-way; and
- h. Driveways, parking lots, and loading/unloading areas shall be paved.

30. Utility Building and Services (A-20, A-2.5)

- a. The building or premises shall be enclosed and the appearance shall be in keeping with the neighborhood.
- b. Screening according to Chapter 12 shall be provided and maintained.

31. Vehicle Body Shop (M-1)

- a. Vehicles shall be set back thirty (30) feet from all property lines or in compliance with the district's or development agreement's setback requirements, whichever are more restrictive;
- b. No fencing is permitted in the area forward of the main building, or if there is no building on the premises, within the front yard setback;
- c. Any storage areas shall be paved;
- d. The shop station shall be located within five hundred (500) feet of a county classified principal or major collector road;
- e. All activities shall be conducted within an enclosed building or fully screened area;
  - i. Medium impact screening from an adjacent residentially zoned property or from an existing residential use shall be required on-site, according to Chapter 12 of this ordinance. No screening shall be required when facing a road;
- f. Noise shall not exceed sixty (60) decibels at the property boundaries;
- g. Shop buildings shall be adequately vented;
- h. Odors or fumes shall not be detectable beyond the walls of the building where the repair services are conducted;
- i. Overhead doors facing an adjacent existing residential use are to remain closed when repairs are being made; and
- j. Hours of operation shall be limited to 7 am to 7 pm, Monday – Saturday.

32. Vehicle Repair Shop (M-1)

- a. Vehicles shall be set back thirty (30) feet from all property lines or in compliance with the district's or development agreement's setback requirements, whichever are more restrictive;
- b. No fencing is permitted in the area forward of the main building, or if there is no building on the premises, within the front yard setback;
- c. Any display or storage area shall be paved and the vehicles arranged in an orderly manner with at least three (3) feet separation between each vehicle.
- d. The shop/service station shall be located within five hundred (500) feet of a county classified principal or major collector road;
- e. All activities shall be conducted within an enclosed building or fully screened area;
  - i. Medium impact screening from an adjacent residentially zoned property or from an existing residential use shall be required on-site, according to Chapter 12 of this ordinance. No screening shall be required when facing a road.
- f. Noise shall not exceed sixty (60) decibels at the property boundaries;
- g. Odors or fumes shall not be detectable beyond the walls of the building where the repair services are conducted;
- h. Overhead doors facing an adjacent existing residential use are to remain closed when repairs are being made~~Overhead doors are to remain closed when repairs are being made~~; and
- i. Hours of operation shall be limited to 7 am to 7 pm, Monday – Saturday.

### 33. Vehicle Sales Lot (M-1)

- a. The site shall include an adequate off-street loading/unloading area;
- b. Any display or storage area shall be paved and the vehicles arranged in an orderly manner with at least three (3) feet separation between each vehicle;
- c. All vehicles on the sales lot shall be in operational condition at all times;
- d. Vehicles stored on-site shall be contained in an appropriately paved or gravel area separate from the required parking spaces;
- e. No vehicles shall be parked in any landscaped screening area on the property or within a road right-of-way;
- f. Driveways, parking lots, and loading/unloading areas shall be paved;
- g. All maintenance services shall be conducted entirely within an enclosed building;
- h. Maintenance facilities or doors shall be oriented so that the doors do not face a public road right-of-way or a residential use unless there is an intervening building or a minimum thirty (30) foot landscape screening according to Chapter 12;
- i. No gasoline or fuel of any kind shall be sold or dispensed on the site;
- j. All applicable local, State, and Federal regulations and requirements shall be met;
- k. All dismantled or damaged vehicles shall be located entirely within an enclosed building at all times;
- l. The site shall be attended on days of operation; and
- m. The use of load speakers or other exterior amplification devices shall be prohibited.

### 34. Vehicle Storage (M-1)

- a. Vehicles shall be stored within an enclosed building except as provided below;



- b. All outdoor storage shall be secure behind a six (6) to eight (8) foot high screening, incorporating landscape berms wherever possible;
- c. Side and rear property boundaries shall be screened;
- d. Vehicles or materials stored outdoors shall not protrude above the screening;
- e. Security lighting of outdoor storage areas shall be provided, such lighting meeting the requirements of Section 8-4-6;
- f. The site shall include an adequate off-street loading/unloading area;
- g. Vehicles stored on-site shall be contained in an appropriately paved or gravel area separate from the required parking spaces;
- h. No vehicles shall be parked in any landscaped screening area on the property or within a road right-of-way;
- i. Driveways, parking lots, and loading/unloading areas shall be paved;
- j. Boats and recreation vehicles may be maintained on site, but shall not be repaired on site;
- k. All maintenance services shall be conducted entirely within an enclosed building;
- l. Maintenance facilities or bays shall be oriented so the access doors for vehicles do not face a public road right-of-way or a residential use unless there is an intervening building or a minimum of a thirty (30) foot landscape buffer;
- m. No gasoline or fuel of any kind shall be sold or dispensed on the site;
- n. The site shall be maintained in a safe, sanitary, orderly condition which does not constitute a public nuisance or adversely affect adjoining properties;
- o. All inoperable, dismantled, or damaged vehicles shall be located entirely within a building at all times;
- p. The site shall be attended on days of operation; and
- q. The use of load speakers or other exterior amplification devices shall be prohibited.

### 35. Vehicle Wash (M-1)

- a. There shall be no outdoor overnight parking or storage of vehicles, equipment, or materials;
- b. No queuing of vehicles shall be allowed in a road right-of-way;
- c. Vehicles shall not be parked on any road;
- d. Drives shall be paved;
- e. There shall be no body work or repairs conducted at the facility;
- f. Convenient and accessible trash enclosures shall be provided;
- g. Dumpsters shall be screened by an enclosure so as not to be seen from a road;
- h. The facility shall be connected to a sanitary sewer;
- i. Noise shall not exceed sixty (60) decibels at the property boundaries; and
- j. The premises shall be kept free of weeds, trash, and debris.

### 36. Veterinary Clinic (A-20)

- a. Animal runs and exercise areas shall not be located in the front yard or within fifty (50) feet of a property boundary;
- b. All applicable local and state operational requirements shall be met;
- c. There shall be a minimum of one (1) parking space for every employee; and



- d. No vehicles shall be parked in any landscaped area on the property or within a road right-of-way.

37. Warehouse and Distribution (M-1)

- a. There shall be no retail sales on the premises;
- b. The main warehouse and distribution building shall not exceed 35,000 square feet; and
- c. A traffic plan approved by the Planning Administrator shall be required.

38. Waste Material Resale Store (A-20, M-1)

- a. The use shall be conducted entirely within a non-combustible building or area surrounded on all sides by a fence, wall, or complete visual screening;
- b. The fence, wall or screening shall:
  - i. Have a height adequate to obscure all materials, parts, supplies, or other items from normal view of the public;
  - ii. Have a height of at least eight (8) feet;
  - iii. Have a uniform height, texture, color, and be generally consistent with the character of the neighborhood; and
  - iv. Be maintained so as to ensure the health, safety, and welfare of the public are preserved.
- c. Buildings shall be set back one hundred (100) feet from all property lines;
- d. Waste resale materials shall not be stored, loaded, unloaded, or otherwise placed either temporarily or permanently outside of the enclosed building, fence, wall, screening, or within road rights-of-way;
- e. A site plan shall be submitted that details information on access, driveways, parking spaces, storage areas, screening, and loading and unloading areas;
- f. Waste resale materials must be contained in a paved or gravel area separate from the parking, driveway, loading, or unloading spaces;
- g. Vehicles shall not be parked in any landscape or screening on the property or within a road right-of-way;
- h. The site shall be maintained in a safe, sanitary, and orderly condition that does not constitute a public nuisance or adversely affect adjoining properties;
- i. The site shall be attended on days of operation;
- j. The use of load speakers or other amplification device shall be prohibited;
- k. The hours of operation shall be limited to the hours of operation of the transfer station; and
- l. Steps shall be taken to ensure materials are not carried onto adjoining properties by the wind or rain.

39. Water Supply or Treatment Facility (A-20, A-2.5)

- a. The site shall be in an appropriate geographical location to its service area; and
- b. Low impact screening according to Chapter 12 shall be provided and maintained along the side and rear property boundaries where above-ground facilities are within one hundred (100) feet of the property boundary.

40. Welding/Machine Shop (M-1)

- a. All activities shall be conducted within an enclosed building that provides shielding of sparks and welding light from public view;
- b. Outdoor storage is prohibited;
- c. Hours of operation is limited to 7:00 am to ~~7~~6:00 pm, Monday through Saturday;
- d. No recharging of welding tanks shall be allowed on site;
- e. The operation is limited to welding and metal fabrication;
- f. Noise shall not exceed sixty (60) decibels at the property boundaries;
- g. Odors or fumes shall not be detectable beyond the walls of the building in which the use is conducted; and
- h. The operation shall comply with all applicable local, state and federal requirements, including fire protection.

41. Wildlife Facility (A-20, A-2.5)

- a. The minimum parcel or lot area shall be two and one-half (2 ½ ) acres;
- b. All piles of feed or bedding shall be located at a minimum of fifty (50) feet from any road right-of-way or any adjacent property boundary in order to minimize odor and nuisance problems;
- c. Manure piles:
  - i. Shall be stored for removal within an enclosure a minimum of forty (40) cubic feet in size;
  - ii. Shall be removed from the premises at least one (1) time per week and/or applied to an agricultural field meeting all local, State, and Federal requirements for land application;
  - iii. May be composted if approved by the Soil and Water Conservation District; and
  - iv. Shall be stored no closer than two hundred (200) feet to any parcel boundary or county or State maintained right-of-way.
- d. All buildings and pens shall be at least fifty (50) feet from the nearest parcel boundary line or right-of-way line; and
- e. There shall be no more than one (1) such wildlife game farm operation/facility allowed per parcel.

42. Wind Energy System (A-20, A-2.5, C-1, C-2, C-3, M-1)

- a. A site plan shall be submitted that details the site conditions, topography, and proposed system location including setbacks from property boundaries, road rights-of-way, and easements;
- b. An architectural rendering looking from the nearest county road and state highway shall be submitted;
- c. Standard engineering drawings of the wind turbine structure and stamped engineering drawings of the tower, base, footings, and/or foundation, as provided by the manufacturer, shall be submitted;
- d. The wind energy system shall be certified under the small wind certification program recognized by the American Wind Energy Association;
- e. The system shall be set back a minimum of the tower height plus the length of one blade (i.e. the turbine's total height) from a property boundary, utility line, or road right-of-way;

- f. Sound produced by the turbine under normal operation conditions shall not exceed sixty (60) decibels at the property boundary (sound levels may be exceeded during short-term events such as utility outages or severe windstorms);
  - g. Tower supports (i.e. guy anchors), if any, shall be at least ten (10) feet from any property boundary;
  - h. The system shall not be located where a portion of the system is visible above a ridgeline from the nearest county road or state highway. Where a system is not located on a ridgeline and will be visible from the nearest county road or state highway, the tower (pole) shall not be taller than sixty (60) feet determined from the grade of the fixed portion of the tower, excluding the turbine;
  - i. Commercial markings, messages, or banners on the turbine or tower (pole) are prohibited;
  - j. The turbine or tower shall not be illuminated;
  - k. The entire system shall be all one neutral non-reflective color;
  - l. Evidence shall be provided that the utility company has been informed of the customer's intent to install an interconnected system. The utility company has 30 days comment from the sent date, prior to permit issuance by the county. Off-grid systems are exempt from this requirement (should the utility company have concerns that cannot be addressed to the satisfaction of the Planning Administrator, the application will need to be processed as a conditional use request);
  - m. All other local and State permits shall be secured prior to issuance of a Permitted with Conditions permit, including an electrical permit from the Division of Building Safety and a building permit from the county's Planning, Building & GIS Department;
  - n. There shall be no more than one (1) wind energy system per parcel; and
  - o. Minimum parcel size shall be 2.5 acres.
43. Wood Products (M-1)
- a. Storage of materials outdoors shall be located to the rear or in the side yards of the building and fully screened from road views according to Chapter 12 and of sufficient height to hide the storage area; and
  - b. Seasonal materials may be stored outdoors in front of the building provided that:
    - i. Such materials shall be limited to placement adjacent to the front wall and outside of any drive, walkway, or parking area;
    - ii. A six (6) foot minimum width walkway separate the materials from any paved drive or parking area;
    - iii. Seasonal materials shall not be displayed, stored, or sold in the open for longer than ninety (90) days in any calendar year.

## **CHANGE TO CORRECT STATUTORY REFERENCE.**

### CHAPTER 8

#### VARIANCE

##### SECTION:

8-8-1: Variance Procedures

**8-8-1: VARIANCE PROCEDURES:** The following provisions shall apply to variances:

**I. APPEALS:** [Change reference to section 5251 to section 8003].

## **ADD A NEW CHAPTER REGARDING SCREENING.**

### CHAPTER 12

#### SCREENING STANDARDS

##### SECTION:

8-12-1: Where Screen Required

**8-12-1: WHERE SCREEN REQUIRED:** The following provisions shall apply to screens:

**A. APPLICATION:** A screen between developments of differing land uses adjoining one another, or separated from one another by only a private street or county road, shall comply with the standards below. The intensity of the screen is established according to the intensity of the abutting land uses. A recreation facility adjacent to or across the street from a single-family residential use or development requires more intense screening than would a retail development adjacent to or across the street from a recreation facility. Single-family residential developments with similar average lot sizes adjacent to one another do not require screening.

**B. MINIMUM SCREEN STANDARDS:** Minimum required screening shall conform to the intensity identified in Table 8-12-1 below. Structures shall meet the height required when installed; planted trees and shrubs shall meet the expected opacity within two (2) growing seasons. Screening options include: six (6) foot rock or masonry wall; six (6) foot opaque vinyl or wood fence or similar; earth berm; planted trees and shrubs; or, any combination thereof that provides the expected opacity a minimum of six (6) feet in height. Every required screen shall be located in a recorded landscape easement and shall be maintained by the owner of the property where the screen is located to provide

the visual screen at the opacity identified in this Section. The recorded document number shall be submitted to the Planning Department.

Table 8-12-1 Screen Intensity

	A-20	A 2.5	R-1	R-2	C-1	C-2	C-3	M
A-20		*	*	L	M	M	H	H
A 2.5	*		*	L	M	M	H	H
R-1	*	*		*	M	M	H	H
R-2	L	L	*		L	M	H	H
C-1	M	M	M	L		L	M	H
C-2	M	M	M	M	L		M	M
C-3	H	H	H	H	M	M		
M	H	H	H	H	H	M		

H – High Impact Screening

M – Medium Impact Screening

L – Low Impact Screening

\*Where the average lot size of a proposed development is two-fifths or less than that of the adjacent existing development, a low impact screen shall be provided.

**C. TYPICAL REQUIRED IMPACT SCREENS:** The following types of impact screens are required between uses in the zoning district identified above where the proposed development is located adjacent to or across the street from an existing development.

1. High Impact Screening (H): A 100% opaque screen between land uses that are dissimilar in character. A high impact screen shall have both of the following installed:
  - a. A six foot high wall or fence;
  - b. Low impact screening shall be planted on the exterior side of the wall or fence.
2. Medium Impact Screening (M): A seventy percent (70%) semi-opaque screen between land uses that are usually dissimilar in character. Semi-opaque screening should partially block views from adjacent land uses. A medium impact screen shall be a minimum of either a landscape screen or a fence, meeting one of the following options:

Screen A

Shade Trees	1/500 sf
Ornamental Trees	1/750 sf
Evergreen Trees	1/300 sf
Shrubs	1/200 sf

Screen B

Shade Trees	1/1,000 sf
Ornamental Trees	1/500 sf
Evergreen Trees	1/300 sf
Shrubs	1/200 sf

Screen C

Shade Trees	1/750 sf
Ornamental Trees	1/750 sf
Evergreen Trees	1/250 sf
Shrubs	1/200 sf

3. Low Impact Screening (L): An open screen between relatively similar land uses. Open screening shall provide an attractive separation and must portray one of the following screening options.

Screen A

Shade Trees	1/500 sf
Ornamental Trees	1/750 sf
Evergreen Trees	1/500 sf
Shrubs	1/500 sf

Screen B

Shade Trees	1/1,000 sf
Ornamental Trees	1/500 sf
Evergreen Trees	1/500 sf
Shrubs	1/500 sf

Screen C

Shade Trees	1/750 sf
Ornamental Trees	1/750 sf
Evergreen Trees	1/750 sf
Shrubs	1/200 sf

**D. WIDTH OF SCREEN:** A screen required along a side or rear lot line shall be no less than twenty (20) feet wide or as approved by the Planning Administrator. The screen may be reduced to ten (10) feet in width when a non-residential use abuts another non-residential use.